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CITY COUNCIL REPORT

SUBJECT: Revised Appointment Process & Advisory Body Handbook

SUBMITTED BY: Gwen Scanlon, City Clerk

DEPARTMENT: City Manager's Department

DATE: January 24, 2017

STRATEGIC RELEVANCE: Organizational Efficiency

STAFF RECOMMENDATION(S):

Staff recommends that the City Council adopt a resolution approving the City of Lincoln Revised Appointment Process and Advisory Body Handbook.

BACKGROUND/ANALYSIS

On April 26, 2016 City Council approved Ordinance 911B making a number of changes to City committees, commissions and boards (Advisory bodies) in an effort to make these bodies more transparent and efficient. Since that time staff has been working to improve the process of Committee appointments detailed in the revised appointment process. The revised process allows for reappointment of incumbents, now that term limits are no longer in place, and allows applications and interviews for only those vacant positions every two years to align with the election cycle. Interviews will also result in an eligibility list allowing vacant positions to be filled in a timely manner.

The City's Advisory bodies are charged with formulating new ideas, information gathering, receiving public testimony and comments, analyzing complex issues, and making recommendations on specific projects and broad policy - all toward helping the City Council make better-informed decisions. To better define the role of the Advisory bodies, staff has created the Advisory Body Handbook which contains bylaws and a purpose statements. The handbook also contains each committee's membership, meetings, election, and other pertinent information.

Staff will also begin annual training in the next few weeks for the Advisory bodies to continue the goals of transparency, uniformity and improved communication with Council. This training is intended to define the role of the Advisory bodies as subject matter experts who advise Council who then directs staff and City resources. The training will also include information related to the Brown Act and how to take action minutes. The intent is that these minutes will be a one to two page summary of the Advisory body's meeting including all actions, recommendations or results of research. These minutes are distributed to all Council members and if needed the staff liaison can report further to Council as was recently done at a work session to discuss recreation standards.

ALTERNATIVES:

1. Adopt a resolution approving the Revised Appointment Process and Advisory Body Handbook for the City committees, commissions.
2. Provide staff with additional direction.

FISCAL IMPACT: none

1530956.1 13583-001



CITY MANAGER REVIEW OF CONTENT:

APPROVED AS TO LEGAL FORM:

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: Purpose statements for each of the committees, commissions and boards.

Attachment 3: Revised Appointment Process

Attachment 4: Advisory Body Handbook



ATTACHMENT 1

RESOLUTION NO. 2017-xxx

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN
APPROVING THE REVISED APPOINTMENT PROCESS
AND ADVISORY BODY HANDBOOK**

The City Council of the City of Lincoln does hereby resolve as follows:

Section 1. The Mayor of the City of Lincoln, with the consent of the City Council of the City of Lincoln does hereby approve the Revised Appointment Process, Exhibit A, and Advisory Body Handbook, Exhibit B.

Section 1. The Mayor of the City of Lincoln, with the consent of the City Council of the City of Lincoln does hereby approve the purpose statements for each of the City's committees, commissions and boards, Attachment 2.

PASSED AND ADOPTED this 24TH day of January, 2017 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Peter Gilbert, Mayor

ATTEST:

Gwen Scanlon, City Clerk

ATTACHMENT 2

Accessibility Advisory Committee

ARTICLE 1: PURPOSE STATEMENT

The committee shall be an advisory body to the city council on policy issues related to accessibility issues for persons with disabilities, including, without limitations, topics arising under the Americans with Disabilities Act.

Airport Committee

ARTICLE 1: PURPOSE STATEMENT

The purpose of the Airport Advisory Committee is to work with City leaders to facilitate growth and financial prosperity at the airport and in the region by: maximizing the contribution of the airport; being advocates of the airport and communicating airport interests to stakeholders; staying abreast of all modern advances made in aviation; ensuring the airport is maintained and operated in a manner that is a safe and secure environment for all visitors; providing input and guidance on infrastructure improvements; and being supportive of all aspects of aviation from general aviation, corporate, and commercial patrons to the non-flying public.

Building Board of Appeals Bylaws

ARTICLE 1: PURPOSE STATEMENT

The building board of appeals shall have the authority as provided in Section 113 of the International Building Code with California Amendments and shall hear appeals from all decisions of the building official, including the denial of a variance from the provisions of this chapter, and shall also hear requests for variances from any provision of this chapter referred to it by the building official or community development director. Upon such references, or upon appeal, it shall have the same power as the building official to grant such variances and impose conditions thereon. Appeals to the building board of appeals shall be in writing and shall be filed with the city clerk no later than ten days from the date of the decision of the building official.

Members of the building board of appeals shall serve without compensation; however, the city council may reimburse said members for reasonable expenses incurred in the performance of their duties. Any person, including city staff, may appeal a decision of the building board of appeals to the city council. The appeal shall be in writing and filed with the city clerk no later than ten days from the date of the decision of the building board of appeals and shall be accompanied by a fee in an amount established by resolution of the city council.

Design Review Board

ARTICLE 1: PURPOSE STATEMENT

The purpose of the Design Review Board is to make recommendations on any matter requiring qualified aesthetic and/or architectural judgments to the end that the general appearance of any improvement shall preserve or enhance the physical environment and character of the community.

Economic Development Committee Bylaws

ARTICLE 1: PURPOSE STATEMENT

The Economic Development Committee is a body of citizens appointed to advise the City Council on matters related to business attraction and retention, development of plans, programs and strategies that relate to job creation, property and sales tax generation and to serve as a source of local input into economic development.

Fiscal & Investments Oversight Committee Bylaws

ARTICLE 1: PURPOSE STATEMENT

The Fiscal and Investments Oversight Committee reviews the fiscal status and investment direction of policies affecting cash flow management and the city's investment pool. The committee recognizes that sound cash flow management and prudent investment practices are critical factors in safeguarding the city's financial resources. The committee also conducts an annual review of the city's investment policies and provides recommendations to the City Council. Investment policy priorities, in order of importance are safety of principal, liquidity and then yield.

Library Advisory Board Bylaws

ARTICLE 1: PURPOSE STATEMENT

The Board acts as an advisory body to the Director of Library Services/Library Manager, City Manager, and City Council regarding the City's Library system, in order to provide comprehensive library services to the Lincoln community.

Library Advisory Committee Bylaws

ARTICLE 1: PURPOSE STATEMENT

The Library Advisory Committee (LAC) is an advisory body to the Lincoln City Council and the Western Placer Unified School Board of Trustees and the Sierra College Board of Trustees. The LAC shall make recommendations concerning library policies and priorities for the operation and administration of the Library at Twelve Bridges in support of the Library's mission. For further details on the duties and responsibilities of the LAC, please see section 11.3 of the 2003 Joint Use Cooperative Agreement for the Lincoln Public Library at Twelve Bridges.

Parks & Recreation Committee Bylaws

ARTICLE 1: PURPOSE STATEMENT

The Parks & Recreation Committee is a body of citizens appointed to advise the City Council on policy issues affecting the City's park and recreation programs including, but not limited to, facility expansion, creation of new programs, reduction or changes in program capacity, and marketing of park facilities and programs. The Committee's objective in advising the Council shall be the provision of public recreational and leisure facilities and services by maintaining the City's existing park and recreation programs and developing new programs, based on public demand and the City's financial capacity, to serve the community's leisure and recreational needs.

Planning Commission

PURPOSE STATEMENT

The planning commission duties are prescribed by Section 65101 of the Government Code. The planning commission shall serve as the “advisory agency” as the term is used in the Subdivision Map Act and shall consider such matters as may be prescribed by applicable state law and ordinances of the City. The planning commission shall form a five-person ad hoc theming and naming committee as necessary. The planning commission may periodically convene an advisory ad hoc theme and naming committee, which shall not be comprised of a quorum of its membership, for the limited purpose of assembling a list of proposed names for streets, public buildings and facilities, and parks and recreational facilities. The planning commission shall make a reasonable effort to consult with the Lincoln Museum Archives, local service clubs, and other individuals knowledgeable about the City’s history in forming the ad hoc theme and naming committee.

ATTACHMENT 3
REVISED APPOINTMENT PROCESS

CITY OF LINCOLN
BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENT PROCESS
(MADDY ACT)

Government Code Section 54972 states that on or before December 31 of each year, the legislative body or City Council must cause to be prepared a list of appointments of all ongoing boards, commissions and committees that are appointed by the City Council. This list must include which terms will expire during the next calendar year with the name of the incumbent appointee, the date of appointment, the date the terms expires, and the necessary qualifications for the position. A copy of the list is posted at the Public Library.

The following procedures are the general timeline and actions taken by the staff and City Council to obtain applications and select Commissioners:

1. Mid-August of even-numbered years:
 - Send letters with an application to board and commission members whose terms are expiring inviting them to re-apply and any person who has requested notice of vacancies
 - Send report to City Council of incumbents seeking reappointment including attendance records
2. September:
 - 1st Meeting – General Business staff report to gain Council consensus on reappointments
 - Publish public notice in The Lincoln News Messenger for two consecutive weeks
 - Post article on the City's website (homepage) with interactive application
3. October:
 - Early October, deadline for receiving applications
 - After reviewing applications, schedule a Special Meeting in November (after election) to interview applicants
 - Send letters to applicants notifying them of their interview date/time
 - Mid to late November, conduct interviews
 - After interviews, send letters to applicants notifying them of the results
4. January:
 - First Council meeting in January or as soon thereafter; appoint applicants

The appointment process applies to all appointments and reappointments to standing Commissions. The City Clerk will solicit applicants to serve on all the boards/committees/commissions. The City Council shall screen the applications and interview the remaining potential applicants. Each member of the City Council shall be allowed to nominate one member of the Planning Commission and the City Council may thereupon appoint such individual by majority vote. Except as otherwise provided, the members of all city commissions and boards shall be appointed by the mayor with the consent of the council. Any member of any board/committee/commission may be removed without cause at any time by a majority vote of the City Council. The terms of office for all boards/committees/commissions shall be four years. All terms shall begin on the second Tuesday of January or as soon thereafter. Should a public board/committee/commission member vacate their position prior to term expiring, a new member will be appointed to fill the remainder of that term and upon term expiring may be eligible to be appointed for a second term. Qualifications for appointment of members to the various Boards and Commissions are set forth in the Lincoln Municipal Code and various resolutions. Whenever an unscheduled vacancy occurs in any board, commission, or committee for which the legislative body has the appointing power, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the office of the clerk of the local agency, the library designated pursuant to Section 54973, and in other places as directed by the legislative body, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointment to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice in the clerk's office.



BOARDS/COMMISSIONS/COMMITTEES

The City of Lincoln City Council has formed a variety of boards, commissions, and committees to assist the City in the information gathering and deliberative process. Boards and Commissions are vital to the operation of the City and ensure public involvement in the governmental process. The Planning Commission is also delegated with decision-making authority for zoning related matters. The public is strongly encouraged to attend and participate in these meetings, or serve as a board or committee member or commissioner. It is the duty of each board's membership to provide feedback and direction to City Departments or the City Council on a variety of issues.

HOW DO I GET INVOLVED?

Members of the public are encouraged to attend public meetings of the City's Boards and Commissions and serve as members. For meeting information select the corresponding board or commission to the left.

HOW DO I BECOME A BOARD OR COMMISSION MEMBER?

When a position becomes available, a filing period is opened. During the open application period, interested persons submit an application form to the Office of the Clerk. After the close of the filing period, the applications are forwarded to the City Council for review. Recommendations are made to the Mayor, who will make appointments, subject to the confirmation of the City Council. This process takes an average of three months after the close of the application period. The process may take longer if insufficient applications are received and the application period is extended.

HOW DO I APPLY TO BE A BOARD OR COMMISSION MEMBER?

For more information on available positions, upcoming terms expirations, or for the application form, please visit [Board & Commission Openings](#).



Application for City Council Appointed Members to Boards/Commissions/Committees

Indicate your interest by selecting no more than two from the following list of City Council appointed Boards/ Commissions/ Committees. If appointed, your application will be made available to the press and public.

- ☐ **Economic Development Committee** ☐ **Library Advisory Board** ☐ **Library Advisory Committee**
- ☐ **Parks & Recreation Committee** ☐ **Planning Commission*** ☐ **Theme & Naming Committee**

* [Statement of Economic Interests \(Form 700\)](#) is required for Planning Commission.

1. CHOICE #1: _____ CHOICE #2: _____

2. NAME: _____

3. ADDRESS: _____

4. HOME PHONE NUMBER: _____ CELL PHONE NUMBER: _____

5. EMAIL ADDRESS: _____

6. NUMBER OF YEARS RESIDING IN LINCOLN: _____ ARE YOU A REGISTERED VOTER IN PLACER COUNTY? _____

7. EMPLOYER: _____

8. EMPLOYER ADDRESS: _____

9. OCCUPATION (IF RETIRED, INCLUDE FORMER OCCUPATION): _____

10. EDUCATIONAL DEGREES/CERTIFICATES: _____

11. PROFESSIONAL, PERSONAL, CIVIC, PHILANTHROPIC, COMMUNITY AFFILIATIONS AND INTERESTS: _____

12. ARE YOU PRESENTLY SERVING ON ANY OTHER CITY OF LINCOLN BOARDS OR COMMISSIONS : _____

13. DO YOU HAVE ANY RELATIVES ON THE SAME BOARD/COMMISSION THAT YOU ARE APPLYING FOR? _____

14. ADDITIONAL PERTINENT INFORMATION: _____

15. LIST THREE REFERENCES AND ADDRESSES OF SAME:

- a) _____
- b) _____
- c) _____

16. IN 50 WORDS OR LESS, PLEASE INDICATE WHY YOU ARE INTERESTED IN SERVING ON THIS BOARD/COMMISSION/COMMITTEE: _____

17. HOW MANY HOURS PER MONTH COULD YOU DEVOTE TO THIS BOARD/COMMISSION/COMMITTEE: _____

PLEASE SUBMIT THIS APPLICATION TO THE CITY CLERK AT LINCOLN CITY HALL LOCATED AT 600 SIXTH STREET, LINCOLN, CA 95648

RESOLUTION 2016-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN
MAKING CHANGES TO THE APPOINTMENTS OF VARIOUS JOINT POWER
AGENCIES, REGIONAL BOARDS AND COMMITTEES, STANDING COMMITTEES
AND AD HOC COMMITTEES

The City Council of the City of Lincoln does resolve as follows:

Section 1. The Mayor of the City of Lincoln, with the consent of the City Council of the City of Lincoln, as required by Government Code Section 54970 et seq., does hereby appoint the individuals named in Exhibit A, attached hereto and incorporated herein by this reference, to various joint power agencies, regional boards and committees, and standing and ad hoc committees.

PASSED AND ADOPTED this XXth day of _____, 20XX by the
following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Mayor

ATTEST:

City Clerk

EXHIBIT A



CITY OF LINCOLN LOCAL APPOINTMENTS LIST (Government Code Section 54972)

Incumbent Appointee	Commission/ Committee	Date of Appointment(s)	Date Current Term Expires*	Term / Eligible for Reappointment
ACCESSIBILITY ADVISORY COMMITTEE (AAC) – 3 public members				
Meeting Time and Place – TO BE DETERMINED				
	AAC			
	AAC			
	AAC			



CITY OF LINCOLN
LOCAL APPOINTMENTS LIST
(Government Code Section 54972)

Incumbent Appointee	Commission/ Committee	Date of Appointment(s)	Date Current Term Expires*	Term / Eligible for Reappointment
AIRPORT COMMITTEE – 5 public members				
Meets quarterly on the 3rd Wednesday of Mar., Jun., Sep. & Dec. at 9:00 a.m.. in the 1st Floor Meeting Room, City Hall				
	Airport			
	Airport			
	Airport			
	Airport			
	Airport			

[illegible]



CITY OF LINCOLN
LOCAL APPOINTMENTS LIST
(Government Code Section 54972)

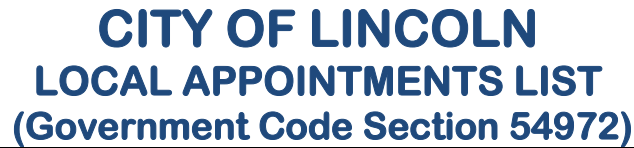
Incumbent Appointee	Commission/ Committee	Date of Appointment(s)	Date Current Term Expires*	Necessary Qualifications for Position
DESIGN REVIEW BOARD (DRB) – 1 qualified public member appointed by City Manager				
Meets the 4TH Wednesday of the month at 9:00 a.m. in the First Floor Meeting Room,				
	DRB	Public Appointee		
	DRB	City Mgr Appointee		

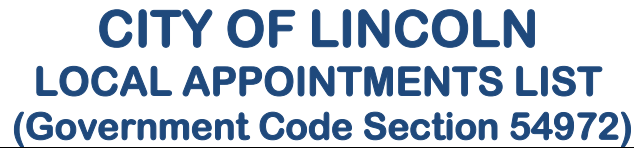
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CITY OF LINCOLN
LOCAL APPOINTMENTS LIST
(Government Code Section 54972)

Incumbent Appointee	Commission/ Committee	Date of Appointment(s)	Date Current Term Expires*	Necessary Qualifications for Position
FISCAL AND INVESTMENTS OVERSIGHT COMMITTEE – 2 public members				
Meets quarterly on the 1st Monday of Feb., May, Aug. and Nov. at 5:00pm in the 1st Floor Meeting Rm, City Hall				
	FISCAL			
	FISCAL			

[illegible]

[illegible]



CITY OF LINCOLN
LOCAL APPOINTMENTS LIST
 (Government Code Section 54972)

Incumbent Appointee	Commission/ Committee	Date of Appointment(s)	Date Current Term Expires*	Term / Eligible for Reappointment
PLANNING COMMISSION – 7 public members Meets the 3rd Wednesday of the month at 6:00 p.m. in the Council Chambers				
	Planning Commission			
	Planning Commission			
	Planning Commission			
	Planning Commission			
	Planning Commission			
	Planning Commission			
	Planning Commission			

CA GOVERNMENT CODE

SECTION 54970-54974

54970. (a) The Legislature finds and declares that a vast and largely untapped reservoir of talent exists among the citizenry of the State of California, and that rich and varied segments of this great human resource are, all too frequently, not aware of the many opportunities which exist to participate in and serve on local regulatory and advisory boards, commissions, and committees.

(b) The Legislature further finds and declares that the general public of this state has traditionally been denied access to information regarding vacancies which occur on such boards, commissions, and committees, thereby denying most citizens and interest groups the opportunity to nominate for consideration by the respective appointive powers persons whose particular strengths, backgrounds, experience, perspective, and talents might contribute significantly to efficient and representative policy development and administration in local government.

(c) The Legislature further finds and declares that the respective local appointive powers have been denied access to a talent resource hitherto untapped.

(d) The Legislature further finds and declares that all citizens of the state, regardless of their place of residence should have equal access to specific and current information about the many local regulating and advisory boards, commissions, and committees and equal opportunity to be informed of vacancies which shall occur thereon, so that they may pursue the opportunity to participate in and contribute to the operations of local government by serving on such boards, commissions, and committees.

(e) It is therefore the intent of the Legislature that this chapter shall apply to all cities and all counties throughout California, including charter cities and charter counties.

54971. As used in this chapter:

(a) "Legislative body" means the board of supervisors or its chairman in the case of the county, or the city council or the mayor in the case of a city.

(b) "Local agency" means a county or city, whether chartered or general law.

54972. On or before December 31 of each year, each legislative body shall prepare an appointments list of all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency. This list shall be known as the Local Appointments List. The list shall contain the following information:

(a) A list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position.

(b) A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position.

54973. The Local Appointments List shall be made available to members of the public for a reasonable fee which shall not exceed actual cost. The legislative body shall designate the public library with the largest service population within its jurisdiction to receive a copy of the list.

54974. (a) Whenever an unscheduled vacancy occurs in any board, commission, or committee for which the legislative body has the appointing power, whether due to resignation, death, termination, or other causes, a special vacancy notice shall be posted in the office of the clerk of the local agency, the library designated pursuant to Section 54973, and in other places as directed by the legislative body, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointment to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice in the clerk's office.

(b) Notwithstanding subdivision (a), the legislative body may, if it finds that an emergency exists, fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made pursuant to this section.

City of Lincoln Municipal Code

CHAPTER 2.50 – COMMITTEES, COMMISSIONS, AND BOARDS

2.50.010 - Established.

The following committees, commission, and board are established without loss of continuity: airport committee, fiscal and investments oversight committee, parks and recreation advisory committee, Lincoln library advisory board, planning commission, economic development committee, accessibility advisory committee, building board of appeals (see chapter 15.06), and design review board (see chapter 18.66).

2.50.010 - Appointment.

The city clerk will solicit applicants to serve on all committees, commissions and boards. The city council shall screen the applications and interview the potential applicants. Except as otherwise provided, the members of all city commissions and boards shall be appointed by the mayor with the consent of the council. Unless otherwise prohibited by other applicable law, city employees and staff members may serve on committees, commission, and boards.

2.50.020 - Vacancies.

Except as otherwise provided, a vacancy in membership in any committee, commission, or board shall be filled for the unexpired term according to the procedures in Section 2.50.010. A vacancy on the committee shall be filled by appointment for the unexpired portion of the term.

2.50.030 - Term.

The terms of office for all committees, commissions and boards shall be four years. Appointments shall be made for fixed terms commencing January 1. Where a mid-term vacancy occurs, the appointment shall be for the remainder of the term of the person vacating the office. No public committee, commission, or board member shall serve more than two consecutive terms.

2.50.040 - Removal.

No appointment shall create tenure or any property right in the person appointed. Any member of any committee, commission, or board may be removed without cause at any time by a majority vote of the city council.

2.50.050 – Record of Appointments.

The city clerk shall maintain a roster of all appointees showing their names, the office to which they have been appointed, the terms of appointment, and the dates of the beginning and of the end of the term of appointment.

2.50.060 - Absence from meetings without cause.

If a member of any committee, commission, or board is absent from three successive regular meetings of the committee, commission, or board without cause, the office of such member shall be deemed vacant and the secretary of the committee, commission, or board shall immediately inform the city manager of such termination.

2.50.070 - Absence from meetings with cause.

An absence due to illness or an unavoidable absence from the city where written notice of the absence is given to the secretary of the committee, commission, or board on or before the day of any regular meeting of the committee, commission, or board shall be deemed absence for cause.

CHAPTER 2.51 - AGENDAS AND PROCEDURAL RULES FOR CITY COMMITTEES, COMMISSIONS, AND BOARDS

2.51.010 - Meetings.

The regular meetings of the committee, commission, and board shall be established by resolution of each respective committee, commission, or board. Each committee, commission, and board shall create a document to be approved by a resolution of the city council identifying the purpose, intent, responsibilities, and functions of the committee, commission, or board. These functions may provide for the keeping of minutes. All meetings shall be open to the public and in compliance with the Brown Act, Government Code section 54950, et seq.

2.51.020 - Chairperson and vice-chairperson.

The membership of the committee, commission, or board may select a chairperson and a vice-chairperson to serve a term of one year each. In no case shall the chairperson or the vice-chairperson serve more than two consecutive terms.

2.51.030 - Agendas.

Every city committee, commission, or board subject to the Brown Act (Gov. Code § 54950, et seq.) shall post an agenda containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting at City Hall, 600 6th Street, Lincoln, California in a location readily accessible to the public at least seventy-two hours in advance of each regular meeting and at least twenty-four

hours in advance of each special meeting. A record of such posting shall be kept by the clerk of such board, commission or committee.

2.51.040 - Public discussion.

(a) Every committee, commission, or board subject to the Brown Act (Gov. Code § 54950, et seq.) shall establish a reasonable time at the beginning of its public meetings for public input and discussion on matters within the commission's, board's or committee's subject matter jurisdiction. Except for formal public hearings, public input and comment on matters on the agenda as well as public input and comment on items not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the presiding officer may direct that public input and comment on matters on the agenda be made when the matter regularly comes up on the agenda.

(b) The presiding officer of the committee, commission, or board may limit the total amount of time allocated for public discussion on particular items and/or the time allocated for each individual speaker.

2.51.050 – Non-agenda items.

Matters brought before the committee, commission, or board which were not placed on the agenda of the meeting may be discussed but shall not be acted upon unless such action is permissible pursuant to the Brown Act (Gov. Code § 54958). Those non-agenda matters for which action is not so authorized shall either be placed on the agenda of a future regular meeting of the committee, commission, or board or referred to staff at the direction of the presiding officer.

2.51.060 - Reimbursement for expenses.

The city council may approve reimbursement of members of the committee, commission, or board for reasonable expenses incurred in the performance of their duties.

2.51.070 - Studies by city personnel.

Upon a request from a committee, commission, or board, the city manager may, from time to time, allocate city personnel to conduct special studies for the committee, commission, or board, subject to the limitation of the city manager's contracting authority and any other limitations imposed by this code or applicable law.

CHAPTER 2.52 – AIRPORT COMMITTEE

2.52.010 - Established.

The airport committee (“committee”) is established.

2.52.020 - Function—Objective.

The committee shall be an advisory body to the city council on policy issues affecting the Lincoln Airport. The committee shall create a document to be approved by a resolution of the city council identifying the purpose, intent, responsibilities, and functions of the committee.

2.52.030 – Composition.

The committee shall consist of seven members, with five public members appointed pursuant to Chapter 2.50 and two members of the city council appointed by a majority of the city council.

CHAPTER 2.54 – FISCAL AND INVESTMENTS OVERSIGHT COMMITTEE

2.54.010 - Established.

The fiscal and investments oversight committee (“committee”) is established.

2.54.020 - Function—Objective.

The committee shall be an advisory body to the city council on fiscal and investment matters. The committee shall create a document to be approved by a resolution of the city council identifying the purpose, intent, responsibilities, and functions of the committee. The committee shall also undertake all functions of the Retirement Board of Authority, as set forth in Resolution 2012-108, as now existing or hereafter amended.

2.54.030 – Composition.

The committee shall consist of seven members including two councilmembers selected by the city council, the city manager, the support services director, the city treasurer, and two city residents appointed pursuant to Chapter 2.50.

CHAPTER 2.56 - PARKS AND RECREATION ADVISORY COMMITTEE

2.56.010 - Established.

The parks and recreation advisory committee ("committee") is established.

2.56.020 - Function—Objective.

The committee shall be an advisory body to the city council on policy issues affecting the city's park and recreation programs including, but not limited to: facility expansion, creation of new programs, reduction or change in program capacity, and marketing of park facilities and programs. The committee's objective in advising the council shall be the provision of public recreational and leisure facilities and services by maintaining the city's existing park and recreation programs and developing new programs, based on public demand and the city's financial capacity, to serve the community's leisure and recreational needs.

2.56.030 Composition.

The committee shall consist of nine public members appointed pursuant to Chapter 2.50. At least six public members of the park and recreation advisory committee shall reside within the city limits of Lincoln.

2.56.070 - Responsibilities.

The committee shall be responsible for the following:

- (1) An annual analysis of the fee structure for rentals and use of public facilities, and a report to the city council as to any changes in the fee structure the committee deems advisable;
- (2) A review and advise on new and existing programs, projects, and services sponsored by the city to determine if the programs, projects, and services are fulfilling their stated objectives;
- (3) Review and advise on proposed park designs for park master plans;
- (4) The development of new recreational programs, projects or services to be recommended to the city council; and
- (5) The investigation into and search for outside funding sources for park and recreation programs, projects, and services.

CHAPTER 2.59 LINCOLN LIBRARY BOARD

2.59.010 Established.

There exists in the city of Lincoln a Lincoln Library Board ("board").

(Ord. 704B §1(part), 2001)
1530955.1 13583-001

2.59.020 Composition.

The library board consists of six public members. At least four public members of the library advisory board shall reside within the city limits of Lincoln.

2.59.030 Function—Objective.

The board is an advisory body to the city council regarding the city's library and shall make recommendations to the city council concerning library policies and the operation and administration of the library.

(Ord. 704B §1(part), 2001)

CHAPTER 2.60 PLANNING COMMISSION

2.60.010 - Established.

The planning commission is established.

2.60.015 - Composition.

The planning commission shall consist of seven public members appointed pursuant to Chapter 2.50. All planning commission members shall reside within the city limits of Lincoln.

2.60.020 - Nomination and appointment.

The city clerk will solicit applicants to serve on the planning commission. The city council shall screen the applications and interview the remaining potential applicants. Each member of the city council shall be allowed to nominate one member of the planning commission and the city council may thereupon appoint such individual by majority vote.

2.60.027 - Vacancies.

A vacancy in membership in the planning commission shall be filled for the unexpired term by a nomination by the city council member who initially had nominated that person and appointment by the city council.

2.60.030 - Duties.

The planning commission duties are prescribed by Section 65101 of the Government Code. The planning commission shall serve as the “advisory agency” as the term is used in the Subdivision Map Act and shall consider

such matters as may be prescribed by applicable state law and ordinances of the city. The planning commission shall form a five-person ad hoc theming and naming committee as necessary.

2.60.035 – Theme and Naming Function.

The planning commission may periodically convene an advisory ad hoc theme and naming committee, which shall not be comprised of a quorum of its membership, for the limited purpose of assembling a list of proposed names for streets, public buildings and facilities, and parks and recreational facilities. The planning commission shall make a reasonable effort to consult with the Lincoln Museum Archives, local service clubs, and other individuals knowledgeable about the city’s history in forming the ad hoc theme and naming committee.

CHAPTER 2.62 - ECONOMIC DEVELOPMENT COMMITTEE

2.62.010 - Established.

The economic development committee (“EDC”) is established.

2.62.020 - Function—Objective.

The EDC shall be an advisory body to the city council on matters related to the attraction and retention of businesses; development and review of plans, programs, and strategies that relate to job creation; property and sales tax generation; and to serve as a source of local input into economic development.

2.62.030 Composition.

The EDC shall consist of nine public members appointed pursuant to Chapter 2.50, two councilmembers selected by the city council, the city manager, and one additional city staff person. At least three public members of the economic development committee shall reside within the city limits of Lincoln.

2.62.080 - Duties.

It is the duty of the EDC to recommend to the city council means of attracting and retaining business and generating property and sales tax. It is also the duty of the EDC to develop and review plans, programs, and strategies that promote job creation.

CHAPTER 2.64 – ACCESSIBILITY ADVISORY COMMITTEE

2.64.010 - Established.

The accessibility advisory committee (“committee”) is established.

2.64.020 - Function—Objective.

The committee shall be an advisory body to the city council on policy issues related to accessibility issues for persons with disabilities, including, without limitations, topics arising under the Americans with Disabilities Act.

2.64.030 – Composition.

The committee shall consist of three members appointed pursuant to Chapter 2.50.

ATTACHMENT 4
ADVISORY BODY HANDBOOK

ADVISORY BODY HANDBOOK



Prepared by the Office of the City Clerk

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Introduction

Welcome to Lincoln City Government!

The City Council and staff hope that this Advisory Body Handbook will answer many of your questions and provide you with fundamental information related to the responsibilities of the City's various advisory bodies.

Serving on one of the City commissions, committees, or boards can be a fascinating and rewarding experience. These advisory bodies are charged with formulating new ideas, information gathering, receiving public testimony and comments, analyzing complex issues, and making recommendations on specific projects and broad policy - all toward helping the City Council make better-informed decisions.

As you may realize, it isn't always easy. Issues are often more complex than anticipated, public opinion can be sharply divided, questions may overlap, and sometimes the province of one body may also be the territory of another.

Much of the information in this Handbook comes from a variety of City policy documents, such as the City's Municipal Code, Financial Plan (or budget) and Council Policies and Procedures. In addition, State Law governs certain responsibilities of advisory body members. The material presented is intended to: 1) give interested persons an understanding of why the City's advisory bodies have been established and how they function within the overall governmental framework; and, 2) summarize the roles, relationships and responsibilities of each advisory body member. The Handbook is divided into six sections:

- Section 1: Advisory Body Basics
- Section 2: How City Government Works
- Section 3: How Advisory Bodies Work
- Section 4: The Brown Act
- Section 5: Tips for Being an Effective Member and Chair of an Advisory Body
- Section 6: Advisory Body Bylaws

Thank you for your interest in serving on one of our citizen advisory bodies and volunteering your time and skills to enhance our community.

Section 1. Advisory Body Basics

A. Background

Lincoln has a long history of involving its citizens in the business of their City government. Advisory committees and commissions provide an opportunity for interested residents to participate in the governing of their community under guidelines and procedures established by the Council. Advisory bodies can improve the quality of City government by providing the Council with resources to make better-informed decisions. Because of the nature of various advisory bodies, they can serve as the “eyes and ears” of the Council for issues and matters that otherwise might not receive the attention they deserve. Other benefits of advisory bodies include improvement in the lines of communication between the public and the Council, greater opportunities for discussion of public issues, and more citizen involvement in City government.

There is considerable variety in the purpose or charge of these bodies. Some are required by State law or the Municipal Code and are directed to guide certain City activities such as community planning or financial matters. Others have been created by the City Council to serve Lincoln’s unique needs.

However, the authority of an advisory body will depend upon its specific purpose. Some have been delegated specific authority to approve or deny projects. Decisions made by an advisory body may be appealed to the Council. The Council may not always accept the recommendation of an advisory body because of additional information available or a need to balance the recommendation with policy or community priorities.

Generally, advisory bodies are empowered only to make recommendations to the Council or to the City staff, unless specifically authorized by law or Council to do otherwise. Lastly, there should be two-way communication so that commissions are aware of the long-term goals Council has adopted, and the advisory body is able to present new ideas to the Council. Commission members are encouraged to attend Council meetings.

B. Opportunities for Service

Interested individuals may apply for appointment to any of the following City advisory bodies:

- Accessibility Advisory Committee
- Airport Committee
- Economic Development Committee
- Fiscal & Investments Oversight Committee
- Library Advisory Board/Committee
- Parks & Recreation Committee
- Planning Commission

C. Membership Qualifications & Appointment Process

The City of Lincoln encourages participation of a wide variety of its citizens through service on an advisory body. Unless specified, there is no special education, training or background required for appointment.

With the following exceptions, only residents who reside within the City limits are eligible to apply to an advisory body. Exceptions include the Accessibility Advisory Committee, Airport Committee, Library Advisory Board/Committee and Economic Development Committee.

Basic elements of the appointment process are as follows:

1. Each person seeking appointment or reappointment to an advisory body shall obtain and file an application with the Office of the City Clerk. Application may be made for a vacancy that currently exists or which may occur in the future.
2. Applicants should have read and become familiar with the contents of this handbook.
3. Applicants shall be screened and interviewed by the City Council. The Mayor, with the consent of the council, will appoint the committee member. City Council may, at their discretion, waive interviews for those applicants who have been interviewed previously.
4. Applicants not appointed will be so advised and their applications held for no less than two years for consideration in the event of a future vacancy.
5. As a general policy, an applicant shall not be appointed to serve on more than one advisory body except that a member may also serve on one technical or special-purpose committee at the same time. (Technical and special purpose committees are formed to address defined subjects. They frequently require members with specific areas of expertise.)

D. Oath of Office

Following appointment and usually at the next meeting of the advisory body, the City Clerk, or designee, will administer the Oath of Office. The Oath may also be administered in the Office of the City Clerk.

E. Orientation

After the appointments are made by the Council, new appointees will be given a resource manual including a variety of introductory references to assist them in becoming more fully knowledgeable about City government. The department serving as staff support to a particular advisory body will coordinate and conduct an orientation with new appointees. Before or during that orientation, support staff will provide relevant documentation and background information about the specific advisory body upon which the new appointee shall serve.

F. Term of Office

The term of office for each appointee to an advisory body shall be four years. Appointments shall be made for fixed terms commencing January 1. Where a mid-term vacancy occurs, the appointment shall be for the remainder of the term of the person vacating the office.

G. Removal from Office

No appointment shall create tenure or any other property right in the person appointed. Members of advisory bodies serve at the pleasure of the Council and may be removed without cause at any time by a majority vote of the City Council.

H. Vacancies

Seats become vacant in two ways; they either expire at the end of the term or an “unscheduled” vacancy occurs when a member resigns during a term. The City Clerk’s Office will advertise in accordance with statutory requirements and a subsequent appointment shall be made consistent with the provisions set forth in Section C, above.

I. Ethics and Conflict of Interest

1. The duties of an advisory body member shall be performed in good faith and in a manner which the member believes to be in the best interest of the City.
2. It is improper for any member of an advisory body to utilize, for personal pecuniary gain or in an otherwise self-dealing manner, any information which is received by reason of said membership and is not a matter of public record.
3. The Political Reform Act of 1974, as amended (Government Code sections 81000-91014) and the City’s Conflict of Interest Code; (Resolution No. 2014-020) require certain elected and appointed officials and designated employees to disclose certain personal financial holdings. Most of the City’s advisory bodies are solely advisory, meaning that final decisions are made by the City Council, and therefore are not required to file Statements of Economic Interest (Form 700).

However, because the following advisory bodies have limited decision-making authority, they are required to file Form 700 with the Office of the City Clerk:

- Planning Commission

Filing dates for Form 700 are as follows:

- Assuming Office Statement – Must be filed within 30 days of taking office.
- Annual Statements – Must be filed by April 1st of each year.
- Leaving Office Statement – Must be filed within 30 days of leaving office.

4. In addition to Conflict of Interest filing requirement, the following advisory board members are required to complete two hours of ethics training. For newly elected and appointed officials, the requirement is to receive this training within one year of assuming office and renew this training within two years of receiving the first training. The original proof of participation certificate, awarded after completion of the training, must be sent to the City Clerk.

- Planning Commission

5. Individual advisory body members should avoid making public comments on Council actions or public policies that might appear to represent the official position of their advisory body. Advisory body actions, with the voting of each member, are conveyed to the Council in the form of official minutes or by resolution. The Chair of an advisory body is the spokesperson for the advisory body.

6. Questions regarding possible ethical issues or conflicts of interest should be reviewed with the Chair, City Attorney, or City Clerk, as appropriate under the circumstances, in advance of the subject meeting or discussion.

J. Awards and Recognition

The City Council values and appreciates each citizen who volunteers his/her time and energy to serving the City on an advisory body. An annual appreciation event hosted by the City Council is one way in which appreciation may be expressed for all advisory body members. When a member terminates service on an advisory body, the Council will recognize that member's contribution to the City through an appropriate expression of appreciation. If that advisory body wishes to make its own presentation to an outgoing member, the Chair shall communicate with the City Clerk in order to avoid duplication of awards.

Section 2. How City Government Works

A. General Law City

Lincoln is a "general law" city incorporated on August 18, 1890. Under California law, the authority of a general law City is derived only from the powers granted to it by the general laws adopted by the State Legislature pertaining to the organization and operation of a municipality, and from the police power granted to it by the State Constitution. General law cities are governed by a city council of five members, a city clerk, a city treasurer, a police chief, a fire chief and any subordinate officers or employees as required by law. City electors may adopt an ordinance which provides for a different number of council members. The Government Code also authorizes the "city manager" form of government and municipal elections are conducted in accordance with the California Elections Code. Cities may also choose to elect the city council "by" or "from" districts, so long as the election system has been established by ordinance and approved by the voters. The Mayor may be elected by the city council or by vote of the people.

B. City Council

The City of Lincoln is governed by the City Council/City Manager form of government. A five-member City Council is elected at large to four-year terms to oversee the City operations and to guide the future development of the City. Council-member terms are staggered so that a measure of continuity is maintained in the transition from one Council to the next. City Council elections are held in November of even numbered years. The City utilizes a mayoral rotation system to determine which Council members shall be chosen to serve as Mayor and Mayor Pro Tem. The City Council also serves as the Board of Directors for the Successor Agency to the Former Redevelopment Agency of the City of Lincoln and the Lincoln Public Financing Authority. Regular Council meetings are held on the second and fourth Tuesdays of each month in the Council Chamber at City Hall. In addition, special meetings and study sessions are held from time to time as the need arises. The Mayor is the official spokesperson for the Council.

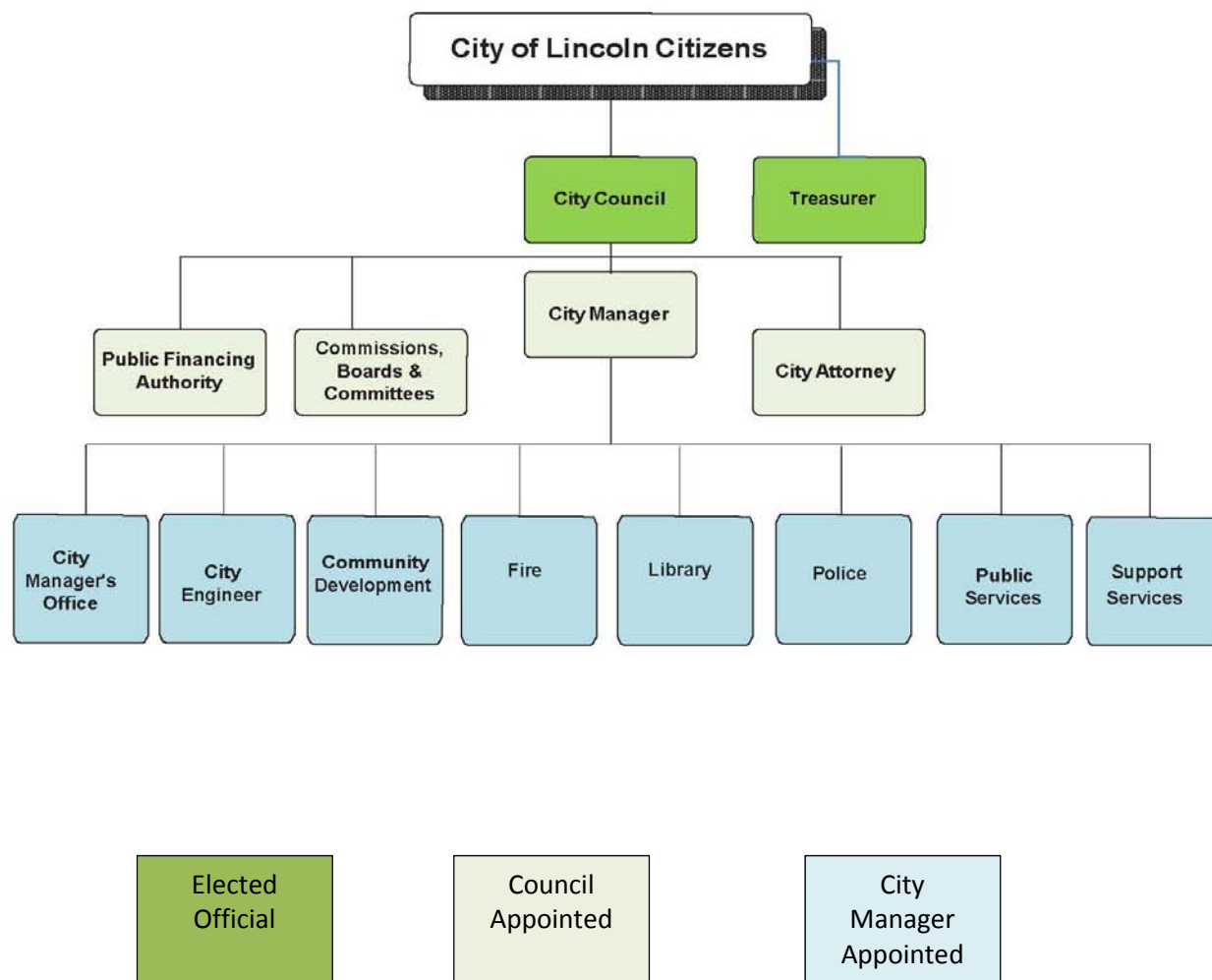
The Council has the power to make and enforce all laws and regulations relating to municipal affairs, subject to the limitations of the United States and California Constitutions, and certain state statutes.

Final decisions on City taxes and fees, budgets, City policies including the General Plan and land use issues, and other matters are made by the City Council.

C. City Organization

As shown on the Organizational Chart, the City Council is directly responsible to the citizens for the operation and well-being of the City. To carry out these responsibilities, the Council relies on:

1. The administrative skills of a City Manager
2. The legal advice of a City Attorney
3. The citizen advice rendered by advisory commission, committees, and boards.



D. Council-Appointed Officers

City Manager: The City Municipal Code requires the Council to appoint an executive to run the City's day-to-day operations. The City Manager is appointed by and directly responsible to the Council for all City activities. The eight operational departments, through their directors or chiefs, are responsible to the City Manager.

City Attorney: The City Attorney provides legal services and advice to the Council, the City Manager, departmental staff, advisory bodies and other City agencies or officials. The City Attorney represents the City in court, prepares ordinances and other legal documents, and prosecutes cases involving violations of City laws. The City Attorney is appointed by, and is directly responsible to, the Council.

Public Financing Authority(PFA): The PFA partners with the City to assist in the financing of public benefit projects that creates affordable housing, community infrastructure and improve the overall quality of life in Lincoln.

Commissions, Boards and Committees: These advisory body members are responsible for the functions of the various advisory bodies as detailed in this handbook and the Chair is responsible for committee compliance with the policies outlined in this handbook. It is important that recommendations the advisory bodies wish to communicate to the City Council are made through adopted or approved Council agenda procedures. Staff members shall assist the advisory body chair to insure appropriate legal review of City and state legislation is complied with.

E. City Departments

The following departments are directly responsible to the City Manager.

City Manager's Department: The City Manager's Department is responsible for providing information and recommendations to the Council, implementing Council policies, and guiding the day-to-day operations of the City. In addition, the City Clerk, Economic Development, Human Resources and Special Projects are carried out by staff in the City Manager's Department. The City Clerk provides a full range of services for the City Council, including preparation of the agendas and minutes, codifying ordinances, and conducting elections. The City Clerk also administers the advisory body appointment process. Economic Development provides staff support for a City advisory body. The Human Resources and Special Projects Department conducts a comprehensive personnel management program to attract and retain competent City employees. The Director is responsible for recruiting, testing, classifying, evaluating and training employees, evaluating employee salaries, administering the City's Personnel Rules and Regulations and directing the City's Risk Management Program. The Director of Human Resources is appointed by, and is responsible to, the City Manager.

City Engineer: The City Engineer's Department is focused on project and program support of activities that are primarily in the public right-of-way, public infrastructure, and City facilities. Such activities usually deal with public infrastructure such as roads, streets, bridges, utility lines and waterways. The City Engineer's Department staff performs final

review following initial review and conditioning by Community Development, and approves all new residential development improvements for conformance to the City of Lincoln Improvement Standards and Design Criteria. The City Engineer's Department develops, implements and oversees and inspects the capital improvement program for public infrastructure and builds, updates and maintains the City's GIS for efficient retrieval of information related to City utilities, streets and other infrastructure.

Community Development: The Community Development Department has five divisions, all under the direction of the Community Development Director who is appointed by, and is responsible to, the City Manager. The Community Development Department is part of a one-stop operation that addresses permitting and development aspects for all new development that occurs in the City. This includes operations within Administration, Building, Code Enforcement, Planning, as well as corollary services involving land development Engineering. Administration Division provides direction, coordination and support to the Building and Planning functions. Building Division provides for review and processing of building permit submittals for remodels and new construction, plan checking, permit issuance and field inspections, ensuring compliance with all applicable Building Codes. Related actions include abatement of dangerous structures. Planning and Engineering Divisions review and process various development entitlement applications (such as conditional use permits, general development plans, design review and tentative maps, along with environmental review of these projects where required), and long-range planning actions (such as the oversight of the City's General Plan and other key policy documents that help guide future development). This also includes Code Enforcement Division actions, which support the above services by ensuring City Codes related to development and land use are adhered to, and includes tracking of and responding to complaints.

Fire: The Fire Department responds to and helps mitigate emergencies providing the highest level of service that available funds allow. This enhances the quality of life of residents and the economic vitality of the businesses we serve. The City of Lincoln is served by its three fire stations and a staff of twenty full-time employees which is augmented by reserve and volunteer firefighters. The Fire department responds with teams of two person fire engines and will continue to strive to exceed customer expectations. The department's ability to maintain staffing levels and keep all three fire stations open is limited to available funding for overtime within the department's budget. The department continues to provide and receive assistance from neighboring jurisdictions through mutual and automatic aid whenever possible. Like most communities across America, emergency medical service (EMS) calls far outnumber fire calls for service.

Library: The Library at Twelve Bridges has been providing library services and programming to the community 23 hours per week. New initiatives include advertising library services and programs on the Lincoln Public Access Channel and via social media; improving library security with ID badges for Volunteers and installation of security cameras and panic button at Circulation Desk. The Library has the following programs: Family Storytime, Mother Goose on the Loose Storytime, Movie Night, Summer Reading Program, Homework Help Center and the Reference Center.

Police: The Police Department has primary jurisdiction for the enforcement of state law within City of Lincoln as well as certain ordinances included in the City's municipal code. Additionally, the Police Department implements and manages programs designed to reduce crime, and partners with other City departments, government entities, stakeholder groups, and individual citizens to protect the quality of life in Lincoln. This department is under the direction of the Chief of Police who is appointed by, and is responsible to, the City Manager. The Department's core service responsibilities include, but are not limited to, the following: 1) Provide a public safety answering point and resources to respond to immediate threats to life and property, 2) provide a police presence to deter and interdict crime and public offenses, 3) investigate crime and public offenses; identify and apprehend offenders and prepare cases for prosecution and 4) undertake activities and maintain systems as mandated by state and federal law. The police department sponsors a 45 member Lincoln Police Volunteer program that supports the department's operations and provides a variety of community safety programs.

Public Services: The Public Services Department provides infrastructure, public health and safety, and management services. The Department includes design, operations and maintenance for the majority of City facilities and City delivered services. These services are administered through the Department's operating areas, including Administration, Airport, Facilities, Open-Space management, Parks, Fleet, Parks & Recreation, Solid Waste, Streets, Wastewater Collection/Treatment, Water Distribution and Water Quality. The Department operates facilities that are critical to maintaining public health and welfare and services that are very highly regulated by State and Federal government agencies. The nature of the functions overseen by Public Services requires a significant level of interaction with internal and external customers, including citizens, businesses, other City departments, and other users of City facilities. The direct customer contact provides substantial and immediate feedback, and staff has a high commitment to customer service. The majority of the Department operations are funded through enterprise funds or through restricted funds with very little General Fund revenue. Leisure Services Division is dedicated to meeting the recreational needs of the citizens of Lincoln by providing quality programs and exceptional customer service. In addition, the Parks and Recreation division contributes to the City's park master planning and serves as a liaison with the Parks and Recreation Committee and offers five program areas: Administration, Adult Sports, Aquatics, Camps/Community Classes, and Youth Sports

Support Services Department: The Support Services Department provides services to enable the rest of the organization to deliver direct services to the community of Lincoln. The department is comprised of the following core services: Administration, Budgeting, Finance, Utility Billing, Central Services (Purchasing, Risk Management), and Information Technology. The Support Services Department is responsible for sound fiscal management that facilitates meeting the needs of the organization by achieving the following goals and objectives: 1) Maintain the integrity of the City's financial reporting system, 2) Provide timely and accurate information which will enable City leadership to make informed decisions regarding the financial affairs of the City, 3) Manage and protect the City's financial resources, 4) Manage the City's budgetary process, 5) Manage the City's Investment Portfolio. 6) Coordinate the efficient purchase of goods and services to support City operations and 7) Manage the City's information technology contracted services.

Section 3. How Advisory Bodies Work

A. Bylaws and Procedures

1. Bylaws: Each advisory body has approved bylaws that set forth procedures, purpose, specific functions, meetings, officers, budget, etc. (Municipal Code 2.51.010). By May 1st of each odd-numbered year, the bylaws of each advisory body shall be reviewed by that body. Any proposed changes shall be submitted to the Council through the City Clerk for approval. If no changes are proposed, a report of the review shall be submitted.
2. Parliamentary Procedures: All advisory body meetings shall be conducted in accordance with City practices and policies. Robert's Rules of Order, Newly Revised, shall also be used as a general guide in conducting meetings. Questions should be directed to the appropriate City staff. A quorum of the Committee shall be as stated in individually adopted advisory body bylaws or procedures.
3. Meetings & Events: All regular meetings shall be held at the established time and place set for that body. Council may hold an event from time to time to recognize advisory body members. (See also Section 1 K).

B. Continuity of Work and New Ideas

1. Continuity: There exists a pattern of continuing work for every advisory body in order that the needs of the community are served in a thoughtful yet expeditious manner. Advisory body Chairs and the assigned professional staff are the responsible parties for establishing an even flow of work. New members to advisory bodies are expected to familiarize themselves with the workload. Normally, it will take new members a bit of time to develop a full understanding of their new work and confidence in their decision-making abilities. Staff members can be helpful with questions.
2. New Ideas: Advisory body members should view themselves as an extension of the abilities of the Council and staff to see and hear matters of importance in our community. Sometimes old policies and established ways of doing things need to be changed. Sometimes fresh ideas need to be given a trial. How does the process of developing a new "idea" work?
 - a. Test the idea on friends; are reactions favorable?
 - b. Bring the idea to your advisory body under the portion of your agenda where individual member comments on items not on the agenda are entertained. If fellow members react favorably; the idea should be formalized in written form.
 - c. At this point, the "cost" of the idea in terms of staff time and dollars must be evaluated. If staff sees the cost to be minor and the impact on City operations to be negligible, the idea can be agendized, discussed publicly and a final decision can be made for a recommendation to the City Council.

- d. Should the “cost” in staff time and money be deemed high, then the Council should be properly informed and budgeting and staff time approved before further action is taken by the advisory body.

A good time for advancing new ideas is during the City Budgeting Workshops, when advisory bodies and citizens are actively encouraged to offer such suggestions to the Council, as most of the resource decisions are made at that time.

C. Communications

1. Written Reports: Advisory bodies are occasionally requested to make special reports or recommendations to the Council on specific subjects. The Council may make this request in writing, with specific direction as to the approach, scope, and schedule for the study desired. These recommendations often play a major role in assisting the Council to reach a final decision on important issues.
 - a. Any recommendation or report from an advisory body is required to be in written form. If the matter is to appear on the Council agenda, the report must be submitted to the City Clerk no later than three weeks prior to the Council meeting at which the report is to be considered. This report becomes part of the record and is forwarded to each Council Member for review in advance of public consideration.
 - b. Some advisory bodies may receive study or action requests from citizens or groups. These requests should also be presented in writing to the advisory body, which will then determine if the committee wishes to pursue that particular issue. The committee shall advise the Council of the request and the body’s determination for action.
2. Goals/Budget: Each advisory body shall prepare proposed major City Goals and Objectives in a manner established by the City Manager. The advisory body Chair will be responsible for speaking to this proposal when the Council conducts its goal setting in study session. The City Manager will notify the Chair of time and place of such Council review. More detailed budget proposals will be made through advisory body staff, consistent with the budget schedule and process.
3. Statements: An advisory body does not have authority to speak for the City. If the body wishes to recommend that a statement be made, such as a letter written to state a position, it shall be submitted to and receive approval of the Council.
4. Public Forums and Surveys: An advisory body shall not sponsor or co-sponsor a public forum, meeting or survey without the prior approval of the Council.
5. Personal Testimony: If a member of an advisory body appears before the Council (or another advisory body) in a capacity other than as representative of his/her body, it should be explained in advance that any statements made are not to be construed as representing the opinions or recommendations of the advisory body.

6. Changes: Changes in a member's address or telephone number, and the names of new officers, shall be submitted to the City Clerk and advisory body staff liaison as soon as possible.
7. Annual Report: Each advisory body is required to submit to the Council by May 1st an annual report describing its activities and evaluating its progress for the year.

D. Role of City Staff Persons and Advisory Body Members

Staff support and assistance is provided, but advisory bodies do not have supervisory authority over City employees. While they may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately to the City Manager and Council. The advisory body members are responsible for the functions of the advisory body and the Chair is responsible for committee compliance with the policies outlined in this handbook.

Staff support includes preparation of a summary agenda, preparation of agenda reports providing a brief background of the issue, a list of alternatives, recommendations and appropriate backup material, as necessary. Staff will assist advisory bodies in the conduct of public meetings and ensure that the business listed on the agenda is addressed. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues involved. An assigned body member, unless a Secretary is appointed by the body, insures that minutes are taken as needed.

It is important that recommendations the advisory bodies wish to communicate to the City Council are made through adopted or approved Council agenda procedures. Staff members shall assist the advisory body chair to insure appropriate legal review or City and state legislation is complied with.

E. Absences, Leaves of Absence, and Resignations

1. Attendance: If an advisory body member fails, for any reason, to attend three successive regular meetings without cause, that member shall automatically be considered for replacement. The Chair of the advisory body shall inform the Council, through the City Clerk, of such a situation, explaining any extenuating circumstances resulting in the absences.
2. Absences: There shall be no "excused" absences. Because of quorum requirements, when an absence is anticipated, the individual advisory body member is responsible for notifying the Chair or the secretary in advance and the absence shall be counted in that member's attendance record.
3. Leaves of Absence: Leaves of absence are not granted to advisory body members except under very unusual circumstances and when authorized in advance by the Council.
4. Resignation: In the event a member finds it necessary to resign from an advisory

body, a letter of resignation stating the effective date of the resignation shall be immediately directed to the Council through the City Clerk, with a copy forwarded to the Chair of the advisory body.

F. Functional Review

1. Election: Each advisory body, at its first annual meeting, shall elect a Chair and a vice Chair.
2. Terms of Office: The term of office of a Chair or vice Chair shall be one year, commencing upon election. No person shall serve as Chair or vice Chair for more than two consecutive terms except if noted elsewhere under specific boards and commissions.

Section 4. The Brown Act

A. Overview

The State Legislature has declared that the actions of public bodies be taken openly and that their deliberations be conducted openly. California's Ralph M. Brown Act (found in the Government Code Section 54950 through 54961), also known as the "open meeting law," applies to all advisory bodies, and requires that they:

1. Meet within the jurisdictional limits of the City.
2. Post the agenda 72 hours before a regular meeting containing a brief general description of each item of business to be transacted or discussed.
3. Hold open and public meetings.
4. Give notice of the meetings to any requesting party at least 24 hours prior to the meeting.
5. Provide in bylaws or rules for time and place of regular meetings, if regular meetings are to be held.

A meeting is defined as a gathering of a majority (quorum) of the advisory body for the purpose of discussing items before the body or conducting other business of the body. It is important to understand that the Brown Act generally prohibits any action or discussion of items not on the posted agenda. There are special posting requirements for advisory body agendas:

- Regular Meetings – 72 hours in advance
- Special Meetings – 24 hours in advance
- Adjourned Meetings – a regular or special meeting may be adjourned to a specific time and place (usually to continue a public hearing or other business). A special notice is required and should be posted within 24 hours of adjournment.

B. Brown Act Provides for Public Comments

The Brown Act mandates that regular meeting agendas allow for two types of public comment periods. The first is a general audience comment period, where the public can comment on any item of interest that is within subject matter jurisdiction of the local agency and that is not listed on the posted agenda. This general audience comment period may come at any time during a meeting (§54954.3).

The second type of public comment period is the specific comment period pertaining to items on the advisory body's agenda. The Brown Act requires that the advisory body allow these specific comment periods on agenda items to occur prior to or during the advisory body's consideration of that item (§54954.3), including consent calendar items.

Public Comments at Special Meetings: The Brown Act requires that agendas for special meetings provide an opportunity for members of the public to speak about any item listed on the agenda prior to the advisory body's consideration of that item (§54954.3). Therefore, for special meetings, advisory bodies must allow public comments for items on the agenda, however (unlike regular meetings), a public comment period for items not on the agenda is not required.

Limitations on Length and Content of Public's Comments: The Brown Act allows a legislative body to adopt reasonable regulations limiting total amount of time allocated for public testimony. In Lincoln, the typical time limit for speakers is three (3) minutes.

It is not permissible to prohibit public criticism of policies, procedures, programs, or services of the City or acts or omissions of the City (§54954.3(c)). This does not mean that a member of the public may speak on "anything." If the topic is not within the subject matter jurisdiction of the advisory body, the Chair should remind the speaker to direct his/her comments to only those subjects within the advisory body's purview.

C. Common Questions about the Brown Act

The following is intended to give advisory body members a broad understanding of the Brown Act. Please consult with the staff liaison, the City Clerk, or the City Attorney for more specifics.

1. What are serial meetings?

A serial meeting is any direct communication amongst a majority of the members, outside of a meeting, to develop a collective concurrence as to action to be taken on an item by the members. Serial meetings are strictly prohibited by the Brown Act.

Even though a majority of members never gather in a room at the same time, a Brown Act violation may occur if ideas are exchanged among the majority by going through any person acting as an intermediary (including staff), and/or through the use of a technological devices, e.g. telephone answering machine, computer email, social media or voice mail.

2. What are some examples of serial meetings?

The most common example of a serial meeting is when "Member A" calls "Member B" and then "Member B" calls "Member C," and so on to share ideas among a majority of the advisory body.

Another example: A member of a five-member advisory body receives a letter regarding City business and writes a note on that letter that says "I agree," and then provides a copy of the letter to two other members.

Email can also be troublesome. Here's an example of how easy it can be to unintentionally conduct a serial meeting: A staff member sends out via email a document in draft form for review by the advisory body prior to a meeting. "Member

A” recommends to staff a revision and copies fellow advisory body members. “Member B” disagrees with the proposed change and others begin to “weigh in” on the subject.

3. This seems restrictive... aren’t there any exceptions?

Of course, prohibition against serial meetings does not prohibit all communication between individuals regarding City business. The Brown Act only prohibits use of serial meetings to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This does not prohibit a staff person from “briefing” members provided that the briefing is limited to furnishing information, and the staff person does not solicit opinions concerning an appropriate course of action for City and then share them among the members.

4. What’s a Quorum?

A quorum is the majority (more than half) of the total number of established members of the committee. A quorum must be present for any business discussion or action to take place. A quorum must be present for the duration of a meeting. If a member leaves during the meeting, resulting in the lack of a quorum, no further business may be conducted and the meeting must be adjourned.

5. What are some exceptions to the Brown Act?

Advisory body members may attend and/or participate in the following as long as a majority of the members do not discuss amongst themselves matters that are within the subject jurisdiction of the advisory body:

- Informational or educational workshops or conferences
- Community meetings, such as town hall meetings, workshops, forums, etc. not sponsored by the advisory body
- A meeting of another body of the local agency
- Social or ceremonial events.

6. Can an advisory body conduct a retreat?

“Team building” or “goal setting” retreats may be held, but they must be held within the City, be properly noticed, and be open to the public.

Section 5. Tips for Being an Effective Advisory Body Member

A. Understanding Your Role and Scope of Responsibility

After appointment by the Council, the City Clerk will present new advisory body members with a useful binder of information about the City, which includes this handbook. In addition, the City staff member designated to serve in support of your advisory body will schedule an orientation appointment with you. This is your chance to learn more about City government and the scope of responsibility of the advisory body to which you have been appointed. In addition to reading this Handbook (which will answer many of your questions), start preparing for your new role by:

1. Reviewing the City's Mission Statement, Organizational Values, and your advisory body by-laws.
2. Reading the other information provided to you in your orientation binder about the City and your specific advisory body. Keep the binder handy for easy reference and review.
3. Getting to know fellow advisory body members and staff. Learn the history and "language" of your advisory body. Ask about upcoming issues.
4. Considering meeting with the Chair of your advisory body and/or a Council Liaison to learn more about your role and to understand expectations. This will help you focus in on the "big picture" and how you fit in.
5. Becoming familiar with basic meeting management and diplomatic decision-making procedures.
6. Attending training programs and workshops offered to you by the City.

B. Prepare Ahead for Meetings

Most citizens understand when they apply to serve on an advisory body that they will be making a commitment of time to attend meetings, but many are often surprised by the amount of time it takes to prepare properly for a meeting. Being prepared is key to making good decisions and will strengthen the value of your advisory body's recommendations.

1. Do your homework! This involves setting enough time aside to review thoroughly and consider the entire agenda packet.
2. When you receive your agenda packet, read it carefully. Be prepared to discuss fully, evaluate, and act on all matters scheduled for consideration. Think about:
 - a. The number of items.
 - b. Those items that may be controversial.
 - c. Difficult procedural items.
 - d. Issues you know little about.

3. Visit any sites or facilities that will help you understand the issues.
4. Start a list of questions for staff.
5. Call or meet with staff before the meeting to learn more, if need be. Getting more information ahead of time may make your decision-making easier and help move the meeting. Your questions may also alert staff to issues that others may also be pondering. Advance knowledge assists staff with preparing oral reports and adequately addressing the issues during the meeting.
6. Show up on time and be ready to work. (It's also helpful to be well rested!)

C. Develop Positive Relationships

Being selected by the City Council to serve on an advisory body is a high honor and provides a unique opportunity for genuine public service. Open, honest and supportive relationships with the City Council, with City staff and fellow members of your advisory body will ensure your success and effectiveness.

1. The proper channel to contact City staff on items of consideration is through the designated City staff person providing support to your advisory body.
2. Demonstrate respect to your fellow advisory body members by being a good listener, by communicating honestly, and by being dependable.
3. Adopt a positive attitude and become a problem-solver.
4. If you have a new idea, propose it to the group as a whole. (See also Section 3.C.2, Continuity of Work and New Ideas.)
5. If friction develops, individuals should make every attempt to clarify differences and make certain that clear communication is taking place. The public meeting should not be used to express anger or disagreement.
6. If differences cannot be resolved, consider consulting with the appropriate individual/s next in line in the "chain of command": 1) Staff Liaison or Chair, 2) the Department Head, 3) City Manager or Council Liaison.

D. Encourage and Honor Public Participation

Some advisory body meetings are well attended by the public and others are not. Nevertheless, it's important to remember that everyone is entitled to his or her own opinions.

Some members of the public are quite used to speaking before a public body, but most are not. Individuals may address the advisory body to either present an issue or concern, or to speak for or against an item. This may be the first time they have ever done this, and they may find the experience intimidating. Anxiety can be expressed in a variety of ways, including aggressiveness or forgetfulness, so be patient and remember to:

1. Be fair and consistent.
2. Pay attention to all speakers and actively listen to what they are saying.
3. Ask questions for clarification, but avoid debate or "cross-examining."
4. Be sure that your body language is not sending mixed or negative messages.
5. See also this section G: Special Tips for the Chair.

E. Respect Individual Viewpoints

Although it may seem like this tip could simply go unsaid, it is important to remember it (especially when you feel very strongly about a matter): Treat fellow members of your advisory body, staff, and the public with respect and courtesy at all times.

1. Ask the Chair for permission to speak.
2. Allow others time to present their views fully.
3. Actively listen and seek to understand.
4. Avoid interrupting others.
5. Be open to new ideas.
6. Explore alternatives.
7. When necessary, agree to disagree.

F. Communicate Effectively

Advisory body members serve as a communications link between the community, staff, and City Council. You provide a channel for citizen expression. Not only is it important for you to listen carefully to others, but you also need to be able to communicate effectively what you are hearing and thinking.

1. Take notes to remind yourself of questions you want to ask or important comments you wish to make.
2. Be direct, open, and forthright.
3. Provide rationale for opinions or recommendations.
4. Stay on topic.
5. Take your charge seriously, but maintain composure and keep your sense of humor.
6. When speaking to the public and/or press, be sure you are representing the majority views of your individual advisory body. Personal opinions should be clearly identified as such.
7. Speak clearly and be sure people can hear you.
8. If you wish to communicate using electronic mail (email), use the tool wisely. It is easy to unintentionally violate the Brown Act, so certain caution must be exercised when using email. (See Section 4, Common Questions about the Brown Act.)

G. Special Tips for the Chair

The Chair's main role is to provide the advisory body with group direction and to set the tone for meetings. The Chair must balance being strong enough to move the meeting along and democratic enough to involve all members in the meeting. The effective Chair:

- 1) Explains the public participation process to the audience. (For example: "The commission will hear first from staff who will present the staff report. Commission questions to staff will follow and then the floor will be open to the public, who may comment on the matter. Following public comment, the matter will come back to the commission for our deliberation and action.")
- 2) Announces each item before discussion begins.
- 3) Is even-handed and fair to all participants.

- 4) Observes specified time limits, three minutes per speaker unless special circumstances exist.
- 5) Protects commissioners and staff from verbal attacks.
- 6) Solicits opinions, feelings, and positions from all members.
- 7) Encourages the generation of alternative solutions.
- 8) Protects new thoughts from being rejected prior to fair evaluation.
- 9) Discourages finger pointing and blame-orientated statements or questions.
- 10) Keeps the discussion focused on the issue.
- 11) Delays evaluation and analysis of alternatives until all are on the table.
- 12) Guides the process of screening alternatives and selecting the solution.
- 13) Attempts to obtain consensus.
- 14) Moves the meeting along and does not let the advisory body drift off the subject at hand.

H. Managing Difficult Meetings

Here are some additional tips for managing any meeting, but particularly the difficult ones:

- 1) Encourage the designation of a spokesperson for any groups.
- 2) Ask staff to make sure there are plenty of extra agendas and staff reports.
- 3) Establish and announce rules before the meeting begins.
- 4) Introduce each item and possible actions.
- 5) Try not to waste time on routine items.
- 6) Encourage speakers to address the advisory body and not the audience.
- 7) Discourage clapping and shouting.
- 8) Use recesses to help diffuse hostility.
- 9) Adhere to speaker time limits.
- 10) If you don't already, use speaker slips/cards.
- 11) Make sure that all advisory body members are addressing each other, through you, and not the audience.
- 12) Consider continuing an item for further discussion if it appears consensus may not be reached.

Section 6. Advisory Body Bylaws

Permanent advisory bodies are established by the City Council by either ordinance or resolution. Membership is defined in the enabling legislation and all members are appointed by the Council. Members are selected:

- On the basis of interest, experience and knowledge in the field pertinent to the committee.
- To represent a particular segment of the community.
- From a broad representation of community interest and expertise.

Most advisory bodies meet regularly at established times. Some advisory bodies are defined as technical or special-purpose. They may meet regularly or only when projects or proposals require their attention.

ACCESSIBILITY ADVISORY COMMITTEE (AAC) BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The committee shall be an advisory body to the city council on policy issues related to accessibility issues for persons with disabilities, including, without limitations, topics arising under the Americans with Disabilities Act.

ARTICLE 2: MEMBERSHIP

The Accessibility Advisory Committee has three public members appointed pursuant to Municipal Code Chapter 2.50 with experience and training on matters pertaining to accessibility issues for persons with disabilities, including, without limitations, topics arising under the Americans with Disabilities Act desired.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

Regular meetings shall be held quarterly at a time to be determined. Agenda items shall be completed by one hour after meeting start time unless a majority of Committee members agree to extend the meeting. Regular meetings shall be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event that the Accessibility Advisory Committee desires to hold all or any portion of a regular meeting at a place other than the First Floor Community Conference Room, City Hall, then the place of such meeting shall be posted on the bulletin board just outside the front entrance of City Hall, prior to the time designated for the meeting in accordance with law.

ARTICLE 4: ELECTION OF OFFICERS

The ADA Coordinator shall act as Chair and may designate a Vice-Chair as needed. The Chair shall preside at all meetings of the Committee. The Vice-Chair is Chair in the absence of the Chair or in case of inability of the Chair to act.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Two members of the Committee constitute a quorum for the transaction of business. No approval or other action of the Committee shall become effective without receiving the affirmative vote of a majority of the members present.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official action taken. The records of all proceedings and the basis for all findings shall be available to the Council and to the public.

ARTICLE 9: ATTENDANCE

Any member of the Accessibility Advisory Committee who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

AIRPORT COMMITTEE BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The purpose of the Airport Advisory Committee is to work with City leaders to facilitate growth and financial prosperity at the airport and in the region by: maximizing the contribution of the airport; being advocates of the airport and communicating airport interests to stakeholders; staying abreast of all modern advances made in aviation; ensuring the airport is maintained and operated in a manner that is a safe and secure environment for all visitors; providing input and guidance on infrastructure improvements; and being supportive of all aspects of aviation from general aviation, corporate, and commercial patrons to the non-flying public.

ARTICLE 2: MEMBERSHIP

The Airport Committee has seven members: two Councilmembers and five public members. The only special qualifications for membership are a proven interest in the City's physical environment and the ability to make positive and fair aesthetic evaluations.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

Regular meetings shall be held at 9:00 a.m. on the third Wednesday of each quarter in the months of March, June, September and December. Agenda items shall be completed by 10:30 a.m. unless a majority of Committee members agree to extend the meeting. Regular meetings shall be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event that the Airport Committee desires to hold all or any portion of a regular meeting at a place other than the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California, then the place of such meeting shall be posted on the doors of the City Hall, prior to the time designated for the meeting in accordance with law.

ARTICLE 4: ELECTION OF OFFICERS

The Committee shall select a Chair and Vice-Chair from among its members to serve for a one-year term beginning January 1st of each year. Committee members shall serve as Chair or Vice-Chair at the discretion of the Committee. The Chair shall preside at all meetings of the Committee. The Vice-Chair is Chair in the absence of the Chair or in case of inability of the Chair to act.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Four members of the Committee constitute a quorum for the transaction of business. No approval or other action of the Committee shall become effective without receiving the affirmative vote of a majority of the members present.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations to be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Airport Committee who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

BUILDING BOARD OF APPEALS BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The building board of appeals shall have the authority as provided in Section 113 of the International Building Code with California Amendments and shall hear appeals from all decisions of the building official, including the denial of a variance from the provisions of this chapter, and shall also hear requests for variances from any provision of this chapter referred to it by the building official or community development director. Upon such references, or upon appeal, it shall have the same power as the building official to grant such variances and impose conditions thereon. Appeals to the building board of appeals shall be in writing and shall be filed with the city clerk no later than ten days from the date of the decision of the building official.

The city council may reimburse said members for reasonable expenses incurred in the performance of their duties. Any person, including city staff, may appeal a decision of the building board of appeals to the city council. The appeal shall be in writing and filed with the city clerk no later than ten days from the date of the decision of the building board of appeals and shall be accompanied by a fee in an amount established by resolution of the city council.

ARTICLE 2: MEMBERSHIP

In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of the California and International Codes enumerated in Chapter 15.04, there is established a building board of appeals, consisting of five members, who shall be qualified by experience and training to pass upon matters pertaining to building construction and code enforcement matters.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

Meetings shall be on call of the Chief Building Official on at least three days public notice given in a form acceptable to the City Clerk. Meetings shall be held in City Hall, 600 Sixth Street, Lincoln, California, or at a location otherwise noticed. In the event the Board desires to hold all or any portion of a meeting at a place other than the City Hall, then the place of such meeting shall be posted on the bulletin board located at the entrance to City Hall prior to the time herein designated for such meetings in accordance with law.

ARTICLE 4: ELECTION OF OFFICERS

The Chief Building Official shall act as Chair. If needed, committee members shall be appointed by the Chief Building Official. The Chair shall preside at all meetings of the Committee.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Four members of the Committee constitute a quorum for the transaction of business. No approval or other action of the Committee shall become effective without receiving the affirmative vote of a majority of the members present.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations to be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Building Board of Appeals who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

DESIGN REVIEW BOARD BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The purpose of the Design Review Board is to make recommendations on any matter requiring qualified aesthetic and/or architectural judgments to the end that the general appearance of any improvement shall preserve or enhance the physical environment and character of the community.

ARTICLE 2: MEMBERSHIP

The Design Review Board shall have seven members and shall consist of the following persons: (1) City engineer; (2) City planner; (3) City Manager or designee; (4) City fire chief or designee; (5) City police chief or designee; (6) A member of the planning commission appointed by the commission; (7) A member of the public appointed by the City Manager or designee. The Planning Commission appointed member is chosen by a majority vote of the Planning Commission and the member of the public is appointed by the City Manager or designee to staggered terms of four years, commencing January 1.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

The Board will, if needed, hold a regular meeting each month. Regular meetings will be held at 9:00 a.m. the fourth Wednesday of each month. Regular meetings shall be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event the Board desires to hold all or any portion of a meeting at a place other than the City Hall, then the place of such meeting shall be posted on the bulletin board located at the entrance to City Hall prior to the time herein designated for such meetings in accordance with law.

ARTICLE 4: ELECTION OF OFFICERS – N/A

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Four members of the Committee constitute a quorum for the transaction of business. No approval or other action of the Committee shall become effective without receiving consensus from the majority of the members present.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all public hearings shall be made available to the public in the office of Community Development. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations to be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Design Review Board who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

ECONOMIC DEVELOPMENT COMMITTEE BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The Economic Development Committee is a body of citizens appointed to advise the City Council on matters related to business attraction and retention, development of plans, programs and strategies that relate to job creation, property and sales tax generation and to serve as a source of local input into economic development.

ARTICLE 2: MEMBERSHIP

The EDC shall consist of nine public members appointed pursuant to Chapter 2.50, two councilmembers selected by the city council, the city manager, and one additional city staff person. At least three public members of the economic development committee shall reside within the city limits of Lincoln.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

Regular meetings of the Economic Development Committee shall be held in the First Floor Community Conference Room on the second Wednesday of each month at 8:00 a.m. Meetings will be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event that the Economic Development Committee chooses to hold all or any portion of a regular meeting at a place other than the First Floor Community Conference Room, City Hall, then the place of such meeting shall be posted on the bulletin board just outside the front entrance of City Hall, prior to the time designated for the meeting in accordance with law.

ARTICLE 4: ELECTION OF OFFICERS

The Committee shall select a Chair and Vice-Chair from among its members to serve for a one-year term beginning January 1st of each year. Committee members shall serve as Chair or Vice-Chair at the discretion of the Committee. The Chair shall preside at all meetings of the Committee. The Vice-Chair is Chair in the absence of the Chair or in case of inability of the Chair to act.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Five members of the Economic Development Committee shall constitute a quorum for the

purposes of conducting business.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations to be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Economic Development Committee who fails, for any reason, to attend three consecutive regular meetings or a total of six regular meetings within any twelve month period shall be automatically be considered for replacement by the City Council. The Chair of the Economic Development Committee shall inform the Council of such a situation, explaining any special circumstances.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

FISCAL & INVESTMENTS OVERSIGHT COMMITTEE BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The Fiscal and Investments Oversight Committee reviews the fiscal status and investment direction of policies affecting cash flow management and the city's investment pool. The committee recognizes that sound cash flow management and prudent investment practices are critical factors in safeguarding the city's financial resources. The committee also conducts an annual review of the city's investment policies and provides recommendations to the City Council. Investment policy priorities, in order of importance are safety of principal, liquidity and then yield.

ARTICLE 2: MEMBERSHIP

The Fiscal & Investments Oversight Committee shall consist of seven members including two councilmembers selected by the city council, the city manager, the support services director, the city treasurer, and two city residents appointed pursuant to Chapter 2.50.

Each resident member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election. The City Treasurer is an elected position with a four-year term, there are no term limits.

ARTICLE 3: MEETINGS

Regular meetings of the Fiscal & Investments Oversight Committee shall be held quarterly on the first Monday of February, May, August and November at 5:00 p.m. Meetings will be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event that the Fiscal & Investments Oversight Committee chooses to hold all or any portion of a regular meeting other than at City Hall, then the place of such meeting shall be posted at least 72 hours in advance on the bulletin board located at the entrance to the City Hall prior to the established meeting time.

ARTICLE 4: ELECTION OF OFFICERS

The Committee shall select a Chair and Vice-Chair from among its members to serve for a one-year term beginning January 1st of each year. Committee members shall serve as Chair or Vice-Chair at the discretion of the Committee. The Chair shall preside at all meetings of the Committee. The Vice-Chair is Chair in the absence of the Chair or in case of inability of the Chair to act.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Two members of the Fiscal & Investments Oversight Committee shall constitute a quorum for the purposes of conducting business.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations to be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Fiscal & Investments Oversight Committee who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

LIBRARY ADVISORY BOARD BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The Library Advisory Board (LAB) acts as an advisory body to the Director of Library Services/Library Manager, City Manager, and City Council regarding the City's Library system, in order to provide comprehensive library services to the Lincoln community.

ARTICLE 2: MEMBERSHIP

The Board consists of six public members appointed by the City Council. At least four public members shall reside within the City of Lincoln. In addition to the six public members, the Director of Library Services/Library Manager or designee shall be an ex-officio member of the Board, as will two Councilmembers.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

The secretary of the Board shall notify the City Council through the City Clerk that a vacancy exists on the Board. The City Clerk will publish vacancies on the Board. The City Council will screen the applications and interview the remaining potential applicants.

A vacancy in membership of the Board will be filled for the unexpired term. The City Council will screen applications, interview the potential applicants and by majority vote, appoint an individual to fill the unexpired term.

Any member of the Board may be removed without cause at any time by a majority vote of the City Council.

ARTICLE 3:

Regular meetings are held concurrently with the Library Advisory Committee meetings.

Regular meetings will be held at 6:00 p.m. on the first Wednesday of February, May, August, and November. At least seventy-two hours in advance of a regular meeting, an agenda will be posted at City Hall and all Library locations, containing a brief general description of each item of business to be discussed or transacted at the meeting.

Meetings will be held in the Willow Community Room at the Lincoln Public Library at Twelve Bridges, 485 Twelve Bridges Drive, Lincoln, California. In the event that the Board chooses to hold all or any portion of a regular meeting at another location, this location will be noted on the agenda posted at least 72 hours in advance.

Special meetings may be called by the Chair, or at the request of a majority of the members of the Board. At least twenty-four hours in advance of a special meeting, an agenda will be delivered to each member of the Board and publically posted. The agenda will specify the time and place of the special meeting and the business to be transacted or discussed.

ARTICLE 4: ELECTION OF OFFICERS

The members of the Board will elect a Chair, who will serve a term of one year, beginning in January. The Chair will serve at the pleasure of the Board. There is no limit on the consecutive one-year terms to which the officer may be elected.

The Chair shall preside over all meetings of the Board, cause agendas to be prepared, authorize calls for special meetings, execute all documents upon which the Board has authority to act, and appear before the City Council to report the activities and recommendations of the Board.

ARTICLE 5: CONDUCT OF MEETINGS

Meetings will be conducted in accordance with City practices, customs, and policies with Roberts Rules of Order, Newly Revised, unless such Rules of Order are suspended by a majority of the Board, or as otherwise specified in these bylaws.

Meetings and the conduct of the Board are subject to the Ralph M. Brown Act, California Government Code Sections 54590-54962. Meetings are open and public. All persons shall be permitted to attend and speak at any meeting, unless it qualifies as a closed session under California Government Code.

ARTICLE 6: QUORUM

A quorum of the Board consists of a simple majority of current Board members.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all public meetings shall be made available to the public in the offices of the City Clerk. The Chair will assign a LAB member to serve as secretary. The Library Advisory Board Secretary, or assigned body member, shall keep an audio record and action minutes of each meeting recording the official action taken. The records of all proceedings and the basis for all findings shall be available to the Council and to the Public.

ARTICLE 9: ATTENDANCE

An absence due to illness or an unavoidable absence from the city where written notice of the absence is given to the secretary of the Board on or before the day of any regular meeting is considered an absence with cause.

The failure of any member to attend three successive meetings without cause will automatically terminate that member's appointment to the Board. The Secretary shall notify the

City Council through the City Clerk of vacancies on the Board.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln Library Board and the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

LIBRARY ADVISORY COMMITTEE BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The Library Advisory Committee (LAC) is an advisory body to the Lincoln City Council and the Western Placer Unified School Board of Trustees and the Sierra College Board of Trustees. The LAC shall make recommendations concerning library policies and priorities for the operation and administration of the Library at Twelve Bridges in support of the Library's mission. For further details on the duties and responsibilities of the LAC, please see section 11.3 of the 2003 Joint Use Cooperative Agreement for the Lincoln Public Library at Twelve Bridges

ARTICLE 2: MEMBERSHIP

The LAC consists of fifteen members and two non-voting members. Five of the members of the LAC shall be the members of the existing Lincoln Library Advisory Board who are appointed by the Lincoln City Council. Five of the members shall be appointed by the Board of Trustees of the Western Placer Unified School District and five of the members shall be appointed by the Board of Trustees of Sierra College. A Friends of the Lincoln Library (FOLL) member shall be appointed by the Friends of the Lincoln Library, as a non-voting liaison to the LAC. The Library Director/Library Manager or designee shall be an Ex Officio, non-voting member of the LAC.

The terms of the members of the LAC who are appointed by the Board of Trustees of the Western Placer Unified School District and the Board of Trustees of Sierra College shall be four years, with terms beginning the first meeting of each calendar year. The number of terms that a member may serve shall not be limited. The terms of the LAC members who are Library Advisory Board members shall coincide with their appointed terms.

ARTICLE 3: MEETING

Meetings of the LAC will be held on the first Wednesday of February, May, August, and November at 6:00 p.m. At least seventy-two hours in advance of a meeting, an agenda will be publically posted containing a brief general description of each item of business to be discussed or transacted at the meeting.

Meetings will be held in the Willow Community Room at the Lincoln Public Library at Twelve Bridges, 485 Twelve Bridges Drive, Lincoln, California. In the event that the LAC chooses to hold all or any portion of a regular meeting at another location, this location will be noted on the agenda posted at least 72 hours in advance.

Special meetings may be called by the Chair, or at the request of a majority of the members of the Committee. At least twenty-four hours in advance of a special meeting, an agenda will be delivered to each member of the Committee and publically posted. The agenda will specify the time and place of the special meeting and the business to be transacted or discussed.

ARTICLE 4: ELECTION OF OFFICERS

At the first meeting of each calendar year in February, the members of the LAC will elect a Chair and Vice Chair who will serve a term of one year beginning with the month of May. The Chair and Vice Chair will not represent the same organization.

The number of consecutive one-year terms to which these officers may be elected is unlimited.

The Chair shall preside over all meetings of the LAC, cause agendas to be prepared, authorize calls for special meetings, execute all documents upon which the Committee has authority to act, and appear before the City Council and the School and College Boards to report on the activities and recommendations of the LAC.

The Vice Chair shall serve in the absence of the Chair.

The Library Director/Manager or designee, as an Ex Officio member of the LAC, will prepare and distribute agendas for LAC meetings working with the Chair or Vice Chair. The Director shall notify the Lincoln City Council and City Clerk, the Board of Trustees of the Western Placer Unified School District or the Board of Trustees of the College of vacancies on the LAC.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies with Robert's Rules of Order, Newly Revised, unless such Rules of Order are suspended by a majority of the LAC.

Meetings and the conduct of the LAC are subject to the Ralph M. Brown Act, California Government Code Sections 54590-54962. Meetings are open and public, and all persons shall be permitted to attend and speak at any meeting, unless the meeting qualifies as a closed session under California Government Code.

ARTICLE 6: QUORUM

A quorum of the LAC consists of a simple majority (8 members) of the LAC members being present.

ARTICLE 7: VOTING

A majority of the votes cast will constitute a passing vote.

ARTICLE 8: PUBLIC RECORDS

Records of all public meetings shall be made available to the public in the offices of the City Clerk.

The Library Advisory Committee, or assigned body member, shall keep an audio record and action minutes of each meeting recording the official action taken. The records of all proceedings and the basis for all findings shall be available to the Council and to the Public.

The Chair will assign a LAC member to serve as secretary, as necessary.

The Chair may instruct the Library to provide a secretary.

ARTICLE 9: ATTENDANCE

An absence due to illness or an unavoidable absence requires notice of the absence be given to the Chair or the Library Director/Manager by e-mail or in writing on or before the day of any regular meeting; this is considered an absence with cause.

The failure of any member to attend three successive meetings without cause will automatically terminate that member's appointment to the Committee.

ARTICLE 10: AMENDMENTS

Amendments to these by-laws may be proposed at any meeting of the LAC where there is a quorum of LAC members. A simple majority of the votes cast for the amendment(s) will constitute a passing vote. If a majority of the LAC considers the amendment(s) substantial, the new language will be brought before the three agencies mentioned in Article 10.1 for their approval.

These by-laws and any future amendments become effective upon adoption by the Lincoln City Council, the Western Placer Unified School District Board of Trustees, and the Sierra College Board of Trustees.

PARKS & RECREATION COMMITTEE BYLAWS

ARTICLE 1: PURPOSE STATEMENT

The Parks & Recreation Committee is a body of citizens appointed to advise the City Council on policy issues affecting the City's park and recreation programs including, but not limited to, facility expansion, creation of new programs, reduction or changes in program capacity, and marketing of park facilities and programs. The Committee's objective in advising the Council shall be the provision of public recreational and leisure facilities and services by maintaining the City's existing park and recreation programs and developing new programs, based on public demand and the City's financial capacity, to serve the community's leisure and recreational needs.

ARTICLE 2: MEMBERSHIP

The Parks and Recreation Commission shall consist of nine public members appointed pursuant to Municipal Code Chapter 2.50, at least six public members shall reside within City limits. Members are appointed by the City Council for a term of four years.

Each member shall serve a term of four years. All terms shall begin on the second Tuesday of January or soon thereafter, following the November even-number year election.

ARTICLE 3: MEETINGS

Regular meetings of the Parks & Recreation Committee shall be held quarterly on the first Wednesday of March, June, September and December at 5:00 p.m. Meetings will be held in the First Floor Community Conference Room, City Hall, 600 Sixth Street, Lincoln, California. In the event that the Parks & Recreation Committee chooses to hold all or any portion of a regular meeting other than at City Hall, then the place of such meeting shall be posted at least 72 hours in advance on the bulletin board located at the entrance to the City Hall prior to the established meeting time.

ARTICLE 4: ELECTION OF OFFICERS

The Committee shall select a Chair and Vice-Chair from among its members to serve for a one-year term beginning January 1st of each year. Committee members shall serve as Chair or Vice-Chair at the discretion of the Committee. The Chair shall preside at all meetings of the Committee. The Vice-Chair is Chair in the absence of the Chair or in case of inability of the Chair to act.

ARTICLE 5: CONDUCT OF MEETINGS

All meetings will be conducted in accordance with City practices, customs, and policies. Robert's Rules of Order, Newly Revised shall be utilized as a general guide in the conduct of meetings.

ARTICLE 6: QUORUM

Five members of the Parks & Recreation Committee shall constitute a quorum for the purposes of conducting business.

ARTICLE 7: VOTING

A majority of the votes will constitute a passing vote. In the case of a tie, the motion does not pass.

ARTICLE 8: PUBLIC RECORDS

Records of all meetings shall be made available to the public in the office of the City Clerk. Secretary Duties: The secretary, or assigned body member, shall keep an audio recording and action minutes of each meeting recording the official actions/recommendations shall be provided to Council. The records of all proceedings and the basis for all findings shall be available to the public.

ARTICLE 9: ATTENDANCE

Any member of the Parks & Recreation Committee who fails, for any reason, to attend three successive regular, adjourned regular, or specially-scheduled (excluding Committee site visits) meetings, shall be reviewed by the Chair for possible referral to the City Council.

ARTICLE 10: AMENDMENTS

These by-laws and any amendments become effective upon adoption by the Lincoln City Council. Upon approval of these by-laws, all previous by-laws are considered rescinded.

ARTICLE 11: FILLING VACANCIES AND REMOVAL OF MEMBERS

Vacancies shall be filled for unexpired terms. The Council, by majority action, may remove any Committee member as provided in the City Municipal Code.

ARTICLE 12: SUB-COMMITTEES

Additional committee assignments shall be made as deemed necessary by the Chair. Committee assignments will be made in January of each year.

PLANNING COMMISSION BYLAWS (as approved by the Commission December 18, 2013)**MEMBERSHIP**

The Planning Commission has seven members who are not necessarily planning professionals. Members must be residents of the City. No special training is required for appointment. Members occasionally may be requested to attend seminars and workshops to enhance skills in planning.

RULES AND PROCEDURES FOR PLANNING COMMISSION COMMISSIONERS

QUALIFICATIONS: Any citizen of Lincoln who is interested in serving the City and is willing to donate their services may qualify. Applications are taken by the City Clerk and appointments are made by the City Council, with recommendations by the Commission.

TERM OF OFFICE: Commissioners are appointed for four (4) year terms, in accordance with Section 2.50 of the Lincoln Municipal Code. Consecutive terms may be served if the Commissioner is reappointed. Mid-term vacancies are filled by City Council by appointments for the unexpired portion of the term

PRESIDING OFFICER

CHAIRMAN AND VICE-CHAIRMAN: The Commission shall, by majority vote, elect a new Vice-Chairman every year during the Planning Commission meeting. At this time, the former Vice-Chairman shall become the Chairman for the year.

CHAIRMAN TO PRESIDE: The Chairman shall be the presiding officer at all meetings of the Planning Commission. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of both the Chairman and Vice-Chairman, the Secretary of the Planning Commission shall call the Commission to order, whereupon a temporary presiding officer shall be elected by the Commissioners present to serve until adjournment.

DURATION OF TERM: The role of the Chairman and Vice-Chairman shall be one (1) year. Two (2) consecutive terms may be served at the convenience of the Commissioners. However, every effort should be made to allow all Commissioners to take their term as officers, provided they so desire and have served on the Planning Commission at least one (1) year. The rotation of the Chairman and election of a Vice-Chairman is to occur at the regularly scheduled meeting in January of each year.

POWERS AND DUTIES OF PRESIDING OFFICER

Participation: The presiding officer shall not be deprived of any of the rights and privileges of a Commissioner by reason of his acting as presiding officer.

Questions to be Stated: The presiding officer or such member of the City staff as he may designate, may verbally restate each question immediately prior to calling for the vote. Following the vote, the presiding officer shall announce whether the question carried or was defeated. The presiding officer in his discretion may publicly explain the effect of a vote for the

audience or he may direct a member of the City staff to do so before proceeding to the next item of business.

Maintaining Order and Decorum: The presiding officer shall be responsible for the maintenance of order and decorum at all meetings. Any decision or ruling of the Chairman may be appealed by request of any Commissioner. The Chairman shall call for roll call to see if the Chair shall be upheld. If the roll call loses, the Chairman is reversed.

Signing of Documents: The presiding officer shall sign all resolutions and other documents necessitating his signature which were adopted in his presence, unless he is unavailable, in which case an alternate presiding officer may sign such documents.

MEETINGS

REGULAR MEETINGS: The regular meeting of the Planning Commission shall be held on the third Wednesday of each month at 6:00 p.m.; provided however, that the Planning Commission may meet on such other dates or at such other times as it determines necessary for the transaction of business. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on an agreed business day. The location of the meeting shall be included on the Agenda as it is subject to change.

ADJOURNED MEETINGS: Any regular or adjourned meeting may be adjourned to a time, place and date specified in the order of adjournment but not beyond the next regular meeting. If no time is stated in the order of adjournment, it shall be the same time as for regular meeting. Once adjourned, the meeting may not be reconvened. An adjourned regular meeting is a regular meeting for all purposes.

SPECIAL MEETINGS: Special meetings may be called at any time by the Chairman or by four (4) members of the Planning Commission, by delivering personally or by mail, written notice to each Commissioner and to each local newspaper of general circulation. Written notice must also be posted on the City's website and outside City Hall. Such notice must be delivered personally or by mail at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting.

MEETINGS TO BE PUBLIC: All regular, adjourned and special meetings of the Planning Commission shall be open and public, except that the Planning Commission may hold executive sessions from which the public may be excluded for the consideration of the following subjects:

Attorney- Client Matters: To consider proposed or pending litigation to which the City is a party. To consider and deal with such other matters as may be authorized by law to be considered in closed session.

ATTENDANCE: Commissioners are expected to diligently attend and participate in all meetings of the Commission. Requests for excused absences shall be received by staff and conveyed to the Chairman. If for some reason a Commissioner is not fulfilling his duty, he may be removed from office by the City Council.

QUORUM: The Planning Commission consists of seven (7) members, one of which is the Chairman. Four (4) members of the Commission shall constitute a quorum and shall be sufficient to transact regular business. If less than four (4) Commissioners appear at a regular meeting, any member may adjourn the meeting to a stated day any hour. If all members are absent, the Secretary of the Planning Commission may adjourn the meeting to stated day and hour. The Secretary shall cause a written notice of the adjournment to be delivered personally or by mail, to each Commissioner and to each local newspaper of general circulation. Written notice must also be posted on the City's web site and outside City Hall. Such notice must be delivered personally or by mail at least 24 hours before the adjourned meeting.

AGENDA

AGENDA, PREPARATION OF: An agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by any Commissioner, the City Manager, his representative, or the City Attorney. The Secretary of the Planning Commission shall prepare the agenda under the direction of the Development Services Director. Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Commission. The agenda, together with all reports pertaining thereto, shall be delivered to the Commissioners the Friday preceding the regular meeting. The agenda shall be made available to the public as soon as practical. No matters other than those listed on the agenda shall be finally acted upon by the Commission, except: (1) Upon a determination by a majority vote of the Planning Commission that an emergency situation exists, as defined in Section 54956.5; (2) Upon a determination by a two-thirds vote of the members of the Planning Commission present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a); or (3) The item was posted for a prior meeting of the Planning Commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

ORDER OF BUSINESS: At the time set for each regular meeting, the Planning Commissioners, Secretary, Development Services Director and Department heads who have been requested to be present shall take their regular places on the dais and appointed seating. The Chairman shall call the meeting to order, and the business of the Commission shall be taken up for consideration and disposition in the order set forth in Section D-3, except that with consent of a majority of the Commissioners present, items may be taken up out of order.

AGENDA, CONTENTS OF: The agenda shall contain the title headings and shall be conducted in the order and manner as set forth below:

CALL TO ORDER

ROLL CALL: The Planning Commission Secretary shall call the roll of the Commissioners and the names of those present shall be entered in the minutes.

PLEDGE OF ALLEGIANCE

CITIZENS ADDRESSING THE COMMISSION: Citizens may address the Planning Commission on any item non-agenda items. Citizens wishing to speak may request recognition from the presiding officer by raising his or her hand and stepping to the podium when requested to do so. Three-minute time limits may be placed on citizen comments.

CONSENT AGENDA: All matters listed under the *Consent Agenda* are considered to be routine and all will be enacted by one motion. There will be no separate discussion of these items unless a member of the Planning Commission, or a citizen, requests a specific item to be removed from the *Consent Agenda* for separate action. Any items removed will be considered after the motion. Approval of the minutes is included in this section and the Commission shall review and approve the minutes of the previous meeting. Any change and amendments to the draft minutes may be made by a majority vote of the Planning Commission.

PUBLIC HEARINGS: The Commission shall conduct all public hearings in accordance with the provisions of these bylaws.

OLD BUSINESS: The Commission may continue discussion of any items carried over from previous meetings. These items include all matters properly brought before the Commission, which require a decision without the benefit of a public hearing. The Commission may recognize staff members or members of the audience for comment pertinent to the question.

NEW BUSINESS: New business items include matters properly brought before the Commission, which require a decision without the benefit of a public hearing. The Commission may recognize staff members or members of the audience for comment pertinent to the question.

COMMISSIONER COMMENTS: The Commission may discuss any such other matters as may be brought to it by a Commissioner, Development Services Director, City Attorney or other staff member.

ADJOURNMENT: The meeting shall be adjourned after a motion to adjourn has been made and carried.

ADDRESSING THE COMMISSION

WRITTEN CORRESPONDENCE: The City Manager or his designee is authorized to receive and open all mail addressed to the Planning Commission and he shall give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Commission action may be disposed of between Commission meetings. Any communication requiring Commission action shall be placed upon the agenda together with a report and recommendation by the City staff. All correspondence requiring same shall be answered or acknowledged as soon as practical.

RIGHT TO ADDRESS PLANNING COMMISSION: Subject to the provisions these bylaws, members of the public shall have the absolute right to address the Commission during consideration of items under the following headings of business:

PUBLIC HEARINGS: Interested persons or their authorized representatives may address the Commission while a matter is open to public hearing, in regard to remarks or questions relevant to the matter under consideration.

NEW BUSINESS: Members of the public may address the Commission by oral communication on any matter concerning municipal business over which the Commission has influence or control. In addition to the absolute right to address the Commission during consideration of the aforementioned heading of business, any interested person may request permission from the presiding officer to address the Commission relevant to the subject matter under consideration. Such request should, whenever practicable, be made prior to a motion being made on the subject. The granting or denial of such a request by the presiding officer may be appealed to the Planning Commission by a member of the Commission.

MANNER OF ADDRESSING COMMISSION: Any person desiring to address the Commission shall raise their hand and wait to be recognized by the presiding officer. After being recognized, he/she shall approach the podium, and will be asked if they would like to share their name and address for the record, and proceed to address the Commission. All remarks and questions shall be addressed to the Commission as a whole and not to any individual member. No question shall be asked a Commissioner or member of the City staff without first obtaining permission from the presiding officer.

TIME LIMITATION: Every person addressing the Commission shall limit his address to such reasonable time as is granted by the presiding officer. When any group of persons wishes to address the Commission on the same subject matter, it shall be proper for the presiding officer to request that a spokesman be chosen to represent the group to avoid unnecessary repetition.

IMPROPER REMARKS: Any person who actually disturbs, disrupts, or otherwise impedes the meeting while addressing the Commission shall be called to order by the presiding officer. If such conduct continues, the presiding officer shall order him barred from further audience before the Commission during that meeting.

DEBATE AND DECORUM

GETTING THE FLOOR: Every Commissioner desiring to speak shall first address the Chair, gain recognition by the presiding officer and confine himself to the question under debate.

QUESTIONS TO STAFF: Every Commissioner desiring to question the City staff shall, after recognition by the presiding officer, address his questions to the Development Services Director or the Secretary of the Planning Commission.

INTERRUPTIONS: A Commissioner, once recognized, shall not be interrupted when speaking, unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Commissioner, or unless the speaker chooses to yield to a question by another Commissioner. If a Commissioner is called to order while speaking, he shall cease speaking until the question or order is determined. If it is determined to be in order, he may proceed. After recognition by the presiding officer, members of the City staff shall hold the

floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

POINTS OF ORDER: The presiding officer shall determine all points of order subject to the right of any Commissioner to appeal to the Commission. If an appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" Commission decision shall conclusively determine such question of order.

POINT OF PERSONAL PRIVILEGE: The right of a Commissioner to address the Commission on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned or where the welfare of the Commission is concerned. A Commissioner raising a point of personal privilege may interrupt another Commissioner who has the floor subject only to the power of the presiding officer to call him out of order.

REMARKS OF COMMISSIONERS AND SYNOPSIS OF DEBATE: Any Commissioner shall have the right of having an abstract of his statement and/or a synopsis of the debate on any subject under consideration by the Commission entered in the minutes. This right shall be exercised by specific direction to the Secretary of the Planning Commission at the Commission meeting.

DECORUM AND ORDER, COMMISSION AND CITY STAFF: While the Commission is in session, the Commissioners and City staff shall preserve order and decorum. A member shall neither, by conversation or other action, delay or interrupt the proceedings or the peace of the Commission nor disturb any member while speaking or refuse to obey the directives of the presiding officer.

DECORUM AND ORDER, AUDIENCE: Public members attending Commission meetings shall observe the same rules of order and decorum applicable to the Commission and staff. Any who disturbs, disrupts, or otherwise impedes the meeting while addressing the Commission or while attending the Commission meeting shall be removed from the room if directed by the presiding officer. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer or a Commissioner.

FAILURE TO OBSERVE RULES OF ORDER: Rules adopted to expedite the transaction of the business of the Commission in an orderly fashion are deemed to be procedural only, and the failure to strictly observe such rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting that is otherwise held in conformity with the law.

MOTIONS

MOTIONS: All motions shall be made according to Lincoln Municipal code Chapter 2.04 Appendix A – Chart of Procedure.

VOTING

VOTING PROCEDURE: When any motion is in order for the question, a roll call vote thereon shall be taken and entered in full upon the record. The maker of the motion shall be polled first and the seconder next. Motions may be passed by a simple majority of the members present at a properly quorumed meeting.

CHANGE OF VOTE: A member may change his vote only if he makes a timely request to do so immediately following the announcement of the vote by the Chairman and prior to the time that the next item in the order of business is taken up.

FAILURE TO VOTE: Every member should vote, unless, disqualified for cause accepted by vote of the Commission or by opinion of the City Attorney. Self-disqualification, without approval, which results in a tie vote, shall be avoided, but no commissioner shall be forced to vote. A Commissioner who abstains shall, in effect, consent that a majority of the quorum may act for him. Tie votes shall be lost motions and may be reconsidered.

CONFLICT OF INTEREST: All applicable laws and ordinances concerning Ethics and Conflicts of Interest shall apply to every Planning Commissioner.

LOST MOTIONS: A lost motion is one that fails to receive the necessary number of votes to carry. Tie votes result in a lost motion. Lost motions may be renewed at any subsequent Commission meeting. To revive a lost motion at the same meeting, the proper action is a motion to reconsider, discussed above.

MINUTES

PREPARATION OF MINUTES: The Secretary of the Planning Commission under the direction of the Development Services Director shall have exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by action of the Planning Commission.

MINUTES OF HEARINGS: Whenever the Commission acts in a quasi-judicial proceeding, such as hearings defined in Section K-1, the minutes shall contain a synopsis of all evidence considered in the hearing, including statements of persons addressing the Commission.

READING OF MINUTES: Unless the reading of the minutes of a Commission meeting is ordered by a majority vote of the Commission, such minutes may be approved without reading if the Secretary of the Planning Commission has previously furnished each Commissioner with a copy.

RESOLUTIONS

PREPARATION OF RESOLUTIONS: It shall be considered best practice to have all resolutions framed and approved by the City Attorney, however; resolutions may be prepared for submission by any individual, group or organization. In matters of urgency, a resolution may be presented verbally in motion form with instructions for written preparation for later execution. Urgency resolutions shall be avoided except when absolutely necessary to protect health, safety, and welfare and shall be avoided entirely when such resolutions are not authorized by law.

PRIOR APPROVAL BY ADMINISTRATIVE STAFF: Before presentation to the Commission, all resolutions have been reviewed by the City Attorney and shall have been examined and approved for administration by the City Manager or his authorized representative, where there

are substantive matters of administration involved.

ADOPTION OF RESOLUTIONS: Resolutions may be adopted by motion on the date they are first presented to the Commission. It is not required that resolutions be read, either in full or by title only.

HEARINGS

APPLICATION AND DEFINITION: The following procedural rules shall apply to all hearings before the Planning Commission. As used herein, the term “hearing” shall include all public hearings required by State law or City ordinance and proceedings for the revocation, suspension, or a reinstatement of permits or licenses under the jurisdiction of the Planning Commission.

CONDUCT OF PUBLIC HEARINGS: A public hearing may be reopened and continued to the next meeting if there are changes that must be made that develop after closing the public hearing, but prior to any voting on the matter.

RIGHTS OF INTERESTED PERSONS: On the date and at the time and place designated in the notice, the Commission shall afford any interested person or his authorized representative, or both, the opportunity to ask questions, to present documentary evidence, to present statements, arguments, or contentions orally and/or in writing, subject to the rules on **ADDRESSING THE COMMISSION** and rules hereinafter stated.

PRESENTATION OF EVIDENCE

ORAL EVIDENCE: All oral statements which are relevant to the subject matter of the hearing may be considered by the Commission.

EXHIBITS AND DOCUMENTS: Exhibits and documents used by the City staff and any persons participating in the hearing may be considered as evidence.

COMMUNICATIONS AND PETITIONS: All communications and petitions concerning the subject matter of the hearing shall be read aloud either in full or by synopsis thereof, provided that a reading in full shall be had at the request of any Commissioner. All such communications and petitions may be considered as evidence by the Commission.

STAFF REPORTS: Whenever practicable, a written staff report shall be prepared and summarized aloud at the request of the Presiding Officer. Said report shall be considered as evidence.

LARGE MAPS AND DISPLAYS: Large size maps and displays presented for use at the hearing shall whenever practical be displayed in full view of the participants and the audience. Said maps or displays or authentic reductions thereof may be considered as evidence.

ADMISSIBLE EVIDENCE: The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence responsible persons are accustomed to rely on in the conduct of serious affairs,

regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a decision unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

EVIDENCE OUTSIDE THE HEARING: Any evidence taken outside the meeting place such as field trips, views of the premises and discussions with individuals, shall not be considered by the Commission in reaching its decision except:

- When during a hearing or work session the meeting is adjourned to a date, place and time certain for the specific purpose of taking visual or demonstrative evidence; or
- If each Commissioner shall orally report his observance of such outside evidence taken and he shall be subject to examination thereon by any interested person or his authorized representative.

CONTINUANCES: Any hearing being held or notice or ordered to be held by the Commission may, by minute action, be continued to any subsequent regular or adjourned meeting of the Commission, in accordance with current law.

DECISION: The Commission shall consider all evidence properly presented in accordance with the rules stated herein, and unless otherwise provided by law shall render a decision or determination of the matter the close of the hearing or as required by law. Said decision or determination shall be by motion made and action taken thereon at regular or adjourned meeting of the Commission. Any Commissioner who was not present during the entire hearing or who in the opinion of the City Attorney has a substantial conflict of interest in the matter shall disqualify himself from discussing or voting on said matter.

RECORD OF HEARING: All documents, maps, exhibits and displays admitted into evidence, shall be retained by the Secretary of the Planning Commission for a period of five (5) years from the date of the close of the hearing. In lieu of recording, the Secretary of the Planning Commission may prepare a typewritten transcript thereof which shall be retained for the same period of time. Said transcript and evidentiary documents shall be made available for public inspection and use at reasonable time and under such reasonable conditions as may be prescribed by the City Council or the City Manager.

AMENDMENTS

AMENDMENTS: This manual of procedures may be amended by majority vote of the Planning Commission, provided the proposed amendment has been presented at one prior regular meeting before the action is taken.

APPENDIX A---CHART OF PROCEDURE

<u>Type of Motion</u>	<u>Second Required</u>	<u>Debatable</u>	<u>Amenable</u>	<u>Priority Over Pending Motion</u>	<u>Recon- sidered</u>	<u>Interrupt Speaker</u>
Adjourn (sine die)	Y			Y		
Amend or substitute	Y	Y	Y	Y	Y	
Appeal	Y	Y			Y	Y
Limit Debate	Y		Y	Y	Y	
Main Motion	Y	Y	Y	Except "table"	Y	
Nominations		Y				
Personal Privilege or Point of Order				Y	Y	Y
Postpone to Time Certain	Y	Y	Y	Y	Y	
Previous Question	Y			Y	Y	
Recess or Adjourn to Time Certain	Y	Y	Y			
Reconsider	Y ¹	Y ²				
Table or Take From Table	Y			Y ⁴		
Take Up Out of Order	Y					
Withdraw a Motion ⁵				Y	Y	Y

¹Y indicates that this action can be taken, is necessary, is required, is permitted or is applicable.

No mark indicates that this action cannot be taken, is unnecessary, or inapplicable.

¹May only be made by a person who voted on prevailing side; not applicable to "table" motions.

²If prior motion was.

³Except for request for later action.

⁴Highest subsidiary motion--takes precedence over all motions except adjourn and privilege.

⁵Must be voted unless no objection.

Appendix A. Mission Statement

AMERICA'S HOMETOWN – A CITY OF OPPORTUNITY

- To provide the highest level of service responsive to our community's expectation and to enhance the quality of life and economic vitality.

Appendix B. Organizational Values

WHAT DO WE STAND FOR?

Customer Focus

- To astonish our customers, not just satisfy them.

Team Orientation

- Together everyone achieves more.

Innovation /Creativity

- Build a team of innovative thinkers.

Integrity

- The best team polices itself.

Accountability

- Expectation + Ownership = Ultimate motivation.

Appendix C. Strategic Priorities

WHERE ARE WE GOING?

Strategic Priorities

- **Economic Development:** strategic investments that ensure long-term fiscal sustainability via growth of jobs and local revenues.
- **Infrastructure:** Underlying foundation on which the continuance and growth of our community depends.
- **Organizational Efficiency:** To bring about an optimal organizational size and structure to ensure agility in meeting operational demands and achieving sustainable practices in the face of rapidly changing environments.
- **Team Cohesion:** Council and staff unify in fulfilling the organization's vision and mission.